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ABSTRACT

This book presents a discussion paper of policy alternatives for bilingual-bicultural education. It also includes two critiques of the paper. Since the enactment of the Bilingual Education Act, the U.S. Office of Education has sponsored programs to help low achieving students with little or no command of English by teaching reading, math, and other subjects in the native language. Although not a failure, this approach does not demonstrate that it makes a difference in terms of student achievement, or acquisition of English. Despite mixed results the Congress is committed to affirmative ethnicity, the maintenance of the mother tongue and culture. Bilingual-bicultural advocates want to provide bilingual education and bicultural instruction, i.e., language and cultural maintenance programs to students who are proficient in English. The philosophy of affirmative ethnicity has stirred debate within the government. The basic task before policymakers is to clarify the policy's direction. One suggestion is to tighten definitions of eligible children to insure that resources reach those who are most in need. It is also suggested that maintenance programs be defined as a way of sustaining and building valuable national language resources, opening other worlds to all. (Author/AM)

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LANGUAGE, ETHNICITY, AND THE SCHOOLS

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Policy Alternatives for Bilingual-Bicultural Education

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Noel Epstein

With responses by Jose A. Cardenas and Gary Orfield and a Foreword by Samuel Halperin

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To my wife Anita
and my daughters
Stephanie and Pamela

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Established in 1969, ESS is funded by the Institute and by partial reimbursement from the government agencies served. In fiscal year 1977 ESS conducted 60 programs for over 1800 federal employees.

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Foreword

Most Americans – experts and laymen alike – believe that current public policies too often are formulated without adequate access to available information or to sound analyses of the issues. Federal education policies, for example, are now so numerous, the issues they address often so complex, and the time available to policymakers and their staffs so limited, that it is generally impossible for all but a few issues to receive serious attention. As a senior Congressional staff member told a recent colloquium of our Institute for Educational Leadership, "when we have, as we do in our one committee, 114 programs terminating in one Congress, you can't expect even the programs that are terminating to get ample time for discussion and a look at the facts, let alone proposed new programs."

IEL, which is centrally concerned with helping policymakers to obtain the information they need to perform their roles effectively, is troubled by these facts of life in the political decisionmaking process. How can policymakers adequately define the federal or state roles in the nation's educational system without thoroughly examining the many issues at stake?

Because of this concern, IEL invited Noel Epstein, national education writer for *The Washington Post*, to join the Institute for six months as journalist-in-residence.

It was not by accident that a journalist was chosen for this assignment, particularly in an area such as bilingual-bicultural education. The need was to synthesize information from many arms of government and many scholarly disciplines – to bring together legislative, regulatory and legal history, to examine the works of

linguists, educators, anthropologists, sociolinguists, political scientists, historians and others, to interview policymakers, advocates and critics. Only then could the whole be seen and policy alternatives be explored. Moreover, the need also was for a relatively brief work written in a non-technical manner that would make it accessible and useful to policymakers. Only then could it hope to contribute to the growth of national understanding about bilingual and bicultural education.

These, then, were Mr. Epstein's general assignments: extensive synthesis, examination of policy alternatives, and a paper that would unravel complex issues for decisionmakers. Beyond this, he was free to make all those professional judgments required in organizing such a work, with the understanding that these would be his judgments rather than those of IEL or The George Washington University. The paper, therefore, does not represent policy positions of IEL, which acts as a catalyst among the many parts of the American educational system and does not advocate specific policies.

To insure that other views are heard on the sensitive issues examined in this paper, IEL also invited two prominent spokesmen in the areas of education and civil rights – Dr. Jose A. Cardenas, Executive Director of the Intercultural Development Research Association, San Antonio, Texas, and Dr. Gary Orfield of the University of Illinois at Urbana – to write critiques of Mr. Epstein's work. These appear at the end of the paper and, we believe, add important dimensions to the policy examination.

When Mr. Epstein began this work, neither he nor the Institute knew what the final product would look like. It has turned out to be an unusual mixture of scholarship and journalism, research and reportage, which is not normally found in either the academic or newspaper worlds. Nor did we know whether such a work actually could make a difference in policymakers' perceptions of the issues they are deciding. We believe that it has.

A first draft of the paper was presented and debated at a meeting of key federal education officials conducted by IEL's Educational Staff Seminar on April 20, 1977. Those attending requested a second seminar, feeling that many important points were insufficiently discussed, and this was held on June 2, 1977. In addition, reports reaching IEL indicate that the paper already is a subject of considerable debate in many federal offices and elsewhere.

The issues examined by Mr. Epstein clearly have implications beyond the federal role in education, extending to concerns of state governments, local school systems, ethnic groups, scholarly disciplines and the individual family and citizen. Language, ethnicity and the schools are at the heart of the social fabric. We hope, therefore, that policymakers, educators and citizens at large will find this paper a useful basis for discussion and debate.

Samuel Halperin
Director
Institute for Educational Leadership
August 1977

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I

Summary

A good deal of American social policy is based on what might be called the Columbus Complex. This is the urge to sail off in a new direction in the belief that, at some point, we are bound to bump into *something*. The exploring spirit is, of course, a critical element of the human drama, always to be encouraged. But problems arise when we are unsure about which way we are headed or why.

This has long been the problem of the federal government's "bilingual-bicultural education" policy, which has been struggling to go in two sharply different directions at the same time. The Congress, the Department of Health, Education and Welfare (HEW) and the courts have sought to aim their efforts at low-achieving students who have little or no command of English. Since enactment of the Bilingual Education Act of 1968, the U.S. Office of Education (USOE) has been exploring ways to help these pupils, concentrating on a technique known as "transitional" bilingual education. The goal of this approach is to help students keep up with reading, math and other subjects in their native tongues while they are taught enough English to transfer to regular classrooms. After nearly nine years and more than half a billion dollars in federal funds, however, the government has not demonstrated whether such instruction makes much difference in the students' achievement, in their acquisition of English, or in their attitudes toward school.

This does not mean that the transitional bilingual technique itself can be judged a failure. The uncertain results may in part reflect the fact that bilingual projects have been poorly implemented, that qualified teachers and adequate

curricula have been in short supply, and that relatively little attention has been paid to project evaluations and even less to seriously controlled research on individual projects. On the other hand, the evidence never has given reason to believe that bilingual instruction could "solve" the educational problems of these children, many of whom have been falling badly behind in school or dropping out altogether. The question is whether, to some undetermined degree, it can help, and whether other approaches would be equally promising. There is as yet no answer.

Despite this uncertainty, the Congress has rapidly expanded its commitment to bilingual education and also to bicultural instruction, in which students are taught about their own ethnic groups. The Bilingual Education Act is funding 425 bilingual-bicultural projects in 68 languages and dialects in fiscal year 1977; about 80 percent of the projects are in Spanish, by far the most widely used non-English language in the nation. As the General Accounting Office reported in 1976, this effort, originally designed as an experiment, "has taken on the characteristics of an educational service program" even though USOE "has made little progress in achieving the program's goals of identifying effective educational approaches, training bilingual education teachers, and developing suitable materials."

Separately, HEW's Office for Civil Rights (OCR) has identified 334 school districts which may have to begin bilingual-bicultural classes for students with English language deficiencies or face a potential loss of all their federal school aid. The OCR policy is difficult to explain. This is not only because of the absence of reliable evidence that such instruction would make much difference in the students' achievement, but also because there is no federal legal requirement for schools to provide bilingual or bicultural education.

The OCR position stems from an interpretation of civil rights law which was upheld by the Supreme Court in a 1974 ruling, *Lau v. Nichols*. The Supreme Court affirmed that schools must do *something special* for these pupils. But it neither required bilingual education as the remedy nor favored it over other approaches, and it did not deal at all with bicultural instruction. OCR nevertheless has told schools districts that if they are found in violation of *Lau*, they must provide bilingual-bicultural education for the bulk of the affected students – unless *the school districts* can prove that another approach would be "effective to cure the violation." If the national government has spent more than half a billion dollars without demonstrating the effectiveness of bilingual-bicultural education, it seems fair to ask how a local school district can be expected to prove that another approach would be effective.

A more fundamental question raised by both Congressional and OCR policies is whether they are indeed carefully aimed at or reaching the target students. Definitions of eligible children under both policies are broad enough to include many pupils who actually are proficient in English, though they may also speak

another language. Students have been admitted to bilingual programs based on their surnames, Census Bureau data and other grounds which do not necessarily measure a pupil's proficiency in speaking, understanding, reading and writing English. A USOE-sponsored study of 38 bilingual projects for Hispanic Americans, in fact, reported that teachers judged about 70 percent of their pupils to be dominant in English, not Spanish, for test-taking purposes. While teacher judgments are not considered accurate measures of language dominance – the actual figure could be lower or higher – no generally accepted and validated tests have been developed to compare pupil proficiency in speaking, understanding, reading and writing different languages. This is another hindrance to effective bilingual policy. It is self-evident, however, that using limited funds for children who are sufficiently fluent in English to learn in that language takes these resources from pupils who cannot learn in English and who therefore are most in need.

It is also clear that bilingual-bicultural advocates *want* to provide such instruction to students who are proficient in English. They oppose using the native language only temporarily as a bridge into English instruction. Rather, they long have sought to give equal importance to the mother tongue and culture, pressing for what are called language and cultural "maintenance" programs. In these, students continue to learn partly in their native tongue and about their ethnic group even if they can function in the English curriculum. Many social and educational justifications have been given for this second, sharply different approach to bilingual-bicultural education. But beneath almost all of them is the idea that the federal government should finance and promote pupil attachments to their ethnic languages and histories while the students also go through the normal process of learning the common English language and the common national history. This approach reflects a philosophy which might be called *affirmative ethnicity*.

This philosophy has stirred continuous debate within the government, and it long has woven its way in and out of federal policy. In the Congress, the issue of whether Washington could finance maintenance programs was left ambiguous when the Bilingual Education Act authorization was renewed in 1974. In projects funded under the Act, there clearly have been maintenance efforts at least through elementary school, as evidenced both by the large numbers of English-dominant students reported in such classrooms and by the overwhelming determination of project directors to maintain the pupils' mother tongues and cultures. In civil rights enforcement, OCR has told school districts that it is "acceptable" to correct the students' English deficiencies by also maintaining their native languages and cultures. And in the city involved in the Supreme Court's *Lau* decision, San Francisco, a consent decree has resulted in a court order to implement a language and cultural maintenance program.

Beyond the fact that money spent for these purposes takes limited resources

from children who are most in need, the maintenance movement has raised profound social issues. Separating students temporarily in basic skills classes in the native language until they can learn in English, for example, can be justified on both compensatory education and civil rights grounds. But keeping students and teachers segregated to maintain the native language and culture cannot be so justified, and the evidence indicates that most maintenance efforts are highly segregated. This is distressing observers both inside and outside the bilingual movement. They worry variously about educational consequences, social separation, and the possibility that the maintenance movement might lead to bitter linguistic politics.

An irony of the drive for maintenance programs is that, if they were to succeed, they would be just as likely to help erode native languages and cultures in this country as to nourish them. If students with English difficulties were to become well educated in English as well as in their native tongues, most probably would find English the more useful language in our 96 percent English-speaking society, and there would likely be a steady attrition in use of the native tongue. That has been the pattern in this country and elsewhere. Transitional programs, of course, would have the same effect, only sooner and more surely. This obviously is a premature concern at this time, given the absence of reliable evidence that bilingual programs produce students who are well educated in English or in the native language. But some scholars within the movement have been warning that only strenuous efforts to reinforce cultural and language "pluralism" in the wider community can protect the ethnic language and culture from erosion. Concepts of such societal "pluralism" range all the way from bilingualism in local newspapers and television to a possible need for an Official Languages Act on the Canadian model to recognize Spanish as an official language of this country.

Some observers doubt that Hispanic Americans are that committed to protecting their language and cultures, seeing them as more determined to increase their economic and political power and prestige. There is no question that bilingual-bicultural policy has been governed in large measure by the quest of discriminated-against minority groups, and particularly Hispanic Americans, for more power, prestige and jobs. The policy, in fact, has become perhaps the largest federally funded expression in this country of the ethnic political wave that has been sweeping the globe. Where it ultimately will lead politically, socially, economically, educationally or culturally is unclear. At this point the policy is still seeking to go in two different directions, and in either case it has raised questions about how deeply Washington should be involved in determining the most socially sensitive aspects of the local school curriculum, language and history, and about how united or divided ethnic group members themselves are on the many issues involved. One state-funded bilingual program in Chicago, for example, set Greek American parents bitterly against each other.

Policy Alternatives: English and Achievement

The basic task before policymakers is to clarify the policy's direction. If the federal government is seeking to discover the best ways to help students who are disadvantaged in English and who are doing poorly in school, a number of alternative courses are available to the Congress, the Executive Branch and the courts. The first, for all three branches, would be *tight definitions of eligible children to insure that resources reach those who are most in need.* This would require a generally accepted definition of the degree of English proficiency needed to learn in English. It also would require written and oral language dominance tests to determine whether a student is better equipped to learn in the native language or in English. These tests could be developed under the Bilingual Education Act. Much, in fact, depends upon what is done under that statute.

The Bilingual Education Act

1. This law, it has been suggested, originally was needed to force school districts to stop neglecting or abusing children who had little or no command of English. If that was the case, the Supreme Court's *Lau* decision ended that need; schools now *must* provide special instruction to these pupils. The problem is that it cannot be said with confidence what kinds of instruction would offer the most educational opportunity to different students. If the Bilingual Education Act program had concentrated research on this question, some important answers might have emerged by now. But, instead, the program has provided discretionary grants to hundreds of local projects in the hope that local evaluations would turn up models which others could emulate – a good example of the Columbus Complex at work. Most of the local evaluations have been of little or no use. Logic suggests – and USOE has proposed – that *what is needed is carefully controlled "planned variation" research.* The object of such research is not to discover whether a single educational technique "works," but to compare the benefits of different approaches for different students.

2. The available evidence indicates that, *in addition to transitional bilingual instruction, two other approaches deserve careful testing.*

One would be special, sensitively applied English "immersion" programs. Special immersion techniques – far different from merely putting students in a "sink or swim" situation – have proved successful for English-speaking students in Canada and in two United States schools. Beginning in kindergarten, the students have been taught in a language which initially was foreign to them; with their native tongue later introduced as a separate subject. In basic skills, the students generally have done as well as or better than English speakers learning in English;

they also have acquired a near-native command of the second language and have done as well in the English language itself as those learning in English. Several researchers have indicated that similar techniques could be sensitively applied to children who speak a minority language, and there appears to be no reason why they should not be tested.

The other approach, based on a theory of a prominent bilingual education spokesman, calls for the curriculum to be made compatible with a student's language, culture, race and socioeconomic class. Considerable sentiment in the bilingual-bicultural movement has centered on this and related theories, and the ideas should be tested to determine the effect on pupil achievement and on the acquisition of English.

3. The serious shortages of qualified teachers and adequate curricula in existing projects – plus the clear prospect that many more bilingual programs of some kind will be begun – suggest that *more funds should be concentrated on teacher training and curricula.* On the issue of federal involvement in determining sensitive school curricula, the federal role could be limited to disseminating ideas and locally developed materials and providing funds for adaptation to others' needs and desires.

OCR and the Courts

OCR and the courts essentially are in the same position of not having reliable evidence about which approaches can provide the most educational opportunity. In addition, OCR has a limited compliance staff, and the courts have been wary of becoming involved in curriculum decisions. This suggests similar alternatives for both of them.

1. One would be to *require affected school districts to offer a variety of approaches and allow individual parents to choose from among them.* Parents and their children, after all, are the ones directly affected. Until reliable evidence is available, individual parent choice would appear to provide a greater degree of fairness than the imposition of one technique or another by government. The alternative techniques would have to be carefully explained to the parents.

2. The options offered would have to include assessments of local resources available to meet each choice. Experience suggests that badly implemented bilingual programs, like badly implemented programs of any kind, can provide a poorer quality education than that of the more traditional school program.

Policy Alternatives: The Native Language and Culture

The picture changes sharply if language and cultural maintenance programs are the goal. In this case, limited resources would not be concentrated on children who cannot function effectively in English. The federal government would assume a responsibility to maintain other languages and cultures regardless of a student's degree of fluency in English.

Going in this direction raises many issues, all of which deserve extensive and careful debate. For one thing, advocates would have to clarify what they mean by "maintenance" programs. Among the many reasons given for such efforts, supporters have argued that it makes no sense to ignore the native language abilities of these pupils once they learn English – and then require them to study language as a subject in later grades. This is an important point. But if developing and maintaining literacy in the native language is the goal, that would not require giving the native tongue the kind of equal status in the curriculum envisioned by many bilingual-bicultural supporters. It could be accomplished by continuing to teach these pupils one or two classes in the native language for the rest of their school careers. Moreover, any federal funds needed for this purpose, as well as for second-language "immersion" programs for English-speaking children, could be legislated separately or be provided under the National Defense Education Act if that statute should be extended again.

This approach would *define maintenance programs as a way of sustaining and building valuable national language resources, opening other worlds to all.* It would raise no serious social or political issues. It would be administratively feasible. And it would not divert any Title VII funds from children who cannot learn in English.

Bilingual backers, however, have not been content with the idea of maintenance programs as a way to build language resources. They have stressed their views of language "pluralism" and cultural "democracy," pressing for federal financing and promotion of ethnic identities through more extensive use of the native language and culture in the schools. This does raise social, political and other issues, and they would have to be thoroughly examined.

The central issue would not be the unquestioned importance of ethnicity in individuals' lives, any more than it would be the unquestioned importance of religion in individuals' lives. Nor would it be about the right or the desirability of groups to maintain their languages and cultures. The question would be the federal role. Is it a federal responsibility to finance and promote student attachments to their ethnic languages and cultures, jobs long left to families, religious groups, ethnic organizations, private schools, ethnic publications and others?

Would this lead to better or worse relations between groups? In addition to the racial and ethnic segregation found in many bilingual programs, there has been a sharp rivalry among groups for limited federal funds distributed on the basis of ethnicity. Would it result in better or worse relations *within* groups? There are as many cultural, class, ideological, religious and other divisions within groups as there are between them. Would it promote ethnic "conformity" rather than cultural "democracy," as some critics suggest? One bilingual supporter has assailed discrimination by Spanish-speaking educators against children who speak some of the many different Spanish dialects used in this country. Would it result in a poorer quality education for these pupils and a neglect of the English skills they need to compete in the job market? Another scholar within the movement found this to be the case in maintenance programs he visited in the Northeast. Would language become a major point of cleavage in state and local politics in many areas, in educational institutions, job qualifications and general social relations? One critic believes this possibility must be seriously considered. Should the government role be to promote teaching of "each about every" rather than "you about yours?" That has long been a goal of educators and integrationists who have sought to foster greater respect and tolerance across groups.

Why is it the federal role to reinforce ethnic identities? Bilingual-bicultural supporters have offered a variety of reasons. Many advance claims of historical justice for groups that were conquered or that have suffered from severe discrimination in American society. Other advocates believe that maintenance programs would improve the general academic performance of students from these groups. This view rests on psychological benefits, on making students feel greater pride and acceptance and thereby increasing their eagerness to learn. There is scarcely any research evidence to support this view, but it is a strongly held article of faith among many bilingual-bicultural supporters. Still others do not necessarily rely on historical justice claims or on beliefs about general education benefits. They support federal financing of maintenance programs in large part for the "enrichment" they believe these would provide to the society and to protect ethnic languages and cultures from erosion.

The question is whether the potential benefits outweigh the potential costs. Would the result be more harmony or more discord in American society? What would we ultimately bump into?

II

The Transition Into English

Washington took its first direct step into the world of bilingual education on January 2, 1968, when the Bilingual Education Act was enacted as Title VII of the Elementary and Secondary Education Act (ESEA). This was a small, exploratory measure aimed at poor, "limited English-speaking" students who had been falling badly behind in school or dropping out altogether. Its generally stated purpose was to meet "the special educational needs of the large number of children of limited English-speaking ability in the United States."

There is no precise count of students who are "limited English-speaking," as that term was broadly defined in the 1968 law and later expanded in 1974. This includes children from "environments where a language other than English is dominant" and students "who were not born in the United States or whose native language is a language other than English." The latest U.S. Office of Education (USOE) estimate, issued in early 1977, indicates that by these definitions, which could include many students who actually are proficient in English, up to 3.6 million school-age youth would be covered by the Act. By far the largest number, an estimated 2.1 million, or nearly 70 percent, speak varieties of Spanish, the most widely used non-English language in the United States. Many of these pupils have been encountering severe difficulties in school. More than 30 percent of students from Spanish-speaking homes wind up two years behind their age group by

the end of high school—if they go that far. Many do not. About 45 percent of Spanish speakers between the ages of 14 and 25 are dropouts.

The 1968 Bilingual Education Act was created for such students, who, the Senate Committee on Labor and Public Welfare stated, were "educationally disadvantaged because of their inability to speak English." The measure called for the development of "research projects, pilot projects," curricula, teachers and teachers' aides to demonstrate the best ways to help these pupils, or at least those whose families had an annual income of less than $3,000 or were on welfare.

Wide latitude was given in what could be tried. Minor emphasis was placed on "bicultural" instruction, in which students are taught about their own ethnic group; one of eight funding options was for "programs designed to impart to students a knowledge of the history and culture associated with their language." The Act also could finance "efforts to establish closer cooperation between the school and the home," early childhood and adult education projects and "other activities." The stress, however, was directly on language, and USOE administrators pinned their hopes overwhelmingly on a technique that had begun to draw attention in this country in the 1960s: trying to help the pupils keep up with reading, math and other subjects in their native tongues while they were taught enough English to transfer to regular classrooms.

The hopes for this approach, known as "transitional" bilingual education, never have been fulfilled. After nearly nine years, Title VII has not demonstrated whether such instruction makes much difference in the students' learning. Most bilingual education supporters acknowledge this. Dr. Jose A. Cardenas, a leading adviser to HEW and to many others on this issue, typically remarks, "I think that you cannot find proof at this time about the success of bilingual education." Dr. John C. Molina, Director of USOE's Office of Bilingual Education, which administers the Title VII program, says, "We have wasted a lot of time, and we've got to have some answers. We must know that bilingual education does indeed provide equal educational opportunity."

An interim report from the first national "impact" study of Title VII projects, issued in April, 1977, by USOE, leaves matters as uncertain as ever. The study, conducted by the American Institutes for Research (AIR), examined 38 fourth-year and fifth-year projects for Hispanic American students. It found that in English language arts, the Title VII students actually were doing worse on the average than comparison students of Hispanic descent in regular classrooms. In math, the Title VII students were doing better. Compared with national norms, both groups were at about the bottom fifth of the nation in English and the bottom third in math. Significantly, Title VII pupils' attitudes toward school were scarcely any different from those of non-Title VII students (bilingual-bicultural advocates have relied heavily on their belief that such instruction would have

important psychological benefits for these students, making them feel more accepted). Overall, an average of $376 per pupil more was spent on the Title VII projects than on the comparison classes.

The interim AIR report—called *Evaluation of the Impact of ESEA Title VII Spanish/English Bilingual Education Program* – also examined results from some classrooms within the averages where children did show unusually large gains in achievement and in their attitudes toward school. But the gains could not be attributed to bilingual instruction. Unusually large achievement gains were reported in both Title VII and non-Title VII classrooms, as were unusually large improvements in attitudes toward school. Moreover, the two gains were not related. "Such changes in attitude . . . were not associated with unusually effective student performance in English Reading, Spanish Reading, or Mathematics," the report stated. "Thus it appears that in Title VII and non-Title VII classrooms improving the student's attitude toward school does not necessarily result in unusually large gains in student performance in academic areas."

All this, it must be emphasized, does not mean that the transitional bilingual technique itself can be judged a failure. The uncertain results may in part reflect the fact that bilingual programs have been poorly implemented, that qualified teachers and adequate curricula have been in exceedingly short supply, and that little attention has been paid to project evaluations and even less to seriously controlled research on individual projects. On the other hand, the evidence never has given reason to believe that bilingual instruction could "solve" the educational problems of these students. The question is whether, to some undetermined degree, it can help, and whether other approaches would be equally promising. There is as yet no answer.

Despite this uncertainty, Washington has rapidly expanded its commitment to both bilingual and bicultural education and has helped trigger bilingual education laws or spending in 21 states, territories and the District of Columbia (these 21 governments spent nearly $70 million on bilingual education in the 1975-76 school year alone). Cumulative Title VII appropriations through fiscal year 1977 amount to $490 million. President Carter has requested $135 million more for fiscal 1978, which would raise the total to $625 million.

At present, Title VII is helping 425 projects teach 260,000 students subject matter in Spanish and 67 other languages and dialects, including Arabic, Cherokee, Chinese, French, Greek, Italian, Japanese, Korean, Navajo, Pennsylvania Dutch, Polish, Portuguese, Punjabi, Russian, Tagalog, Yiddish and Yup'ik. As the General Accounting Office reported in May, 1976, Title VII "has taken on the characteristics of an educational service program" even though USOE "has made little progress in achieving the program's goals of identifying effective educational approaches, training bilingual education teachers, and developing suitable materials."

Significant Title VII funds for teacher training and curricula have been provided only since 1974–about $25 million annually is now spent on training and $7 million annually on materials–and therefore have not filled project needs. Nobody knows how severe the teacher and curricula shortages are. There is even reason to question–and many in the bilingual movement do question–whether teachers who have gone through special bilingual training are really qualified to teach in such classrooms. In 1976, for example, New Mexico picked a random sample of 136 bilingual education teachers and aides, many of whom had done university work in bilingual education, and tested them on a standard third grade curriculum from Mexico. "Only 13 of the 136 could read and write Spanish at the third grade level," reports Dr. Henry W. Pascual, director of New Mexico's bilingual teacher training unit. The 10 percent pass rate was "alarming to everyone," he states, adding, "We cannot continue to train teachers and teachers' aides at the university level without getting better results than that."

It should not be surprising, then, if students in bilingual classes sometimes do worse than similar students in more traditional courses. "I think it's the case that children in some existing transitional bilingual programs may not be getting as good a quality education as they might receive in a regular school program," says Dr. Rudolph C. Troike, director of the Center for Applied Linguistics, a national research and clearinghouse organization, and a strong bilingual backer.

Title VII, moreover, is only one of a number of federal programs aiding bilingual education. Since the early 1960s, a substantial but undetermined portion of Cuban Refugee Program funds has supported bilingual instruction in Miami, Florida, which was officially declared a bilingual city in 1973. In 1975, for example, about $3.5 million of the nearly $10 million of Cuban refugee funds for the Dade County (Miami) schools went for bilingual education. Under the Emergency School Aid Act, nearly $29 million was spent nationally on 120 bilingual education projects from 1973 through 1975. Additional funds for bilingual education are being spent under the large ESEA Title I program for disadvantaged children, under the Right-to-Read program, under Title IV of the Civil Rights Act of 1964 and under other federal efforts. Although no precise total is available for federal spending in this area, it is clear that Washington already has invested well over half a billion dollars in bilingual-bicultural instruction. At the current rate of expansion, such spending could well reach the billion dollar mark in a few years.

In addition to this financial carrot, the government has been wielding a stick. HEW's Office for Civil Rights (OCR) has targeted 334 school districts which may have to start bilingual-bicultural classes or face a potential loss of all their federal school aid. The OCR policy is difficult to explain. This is not only because there is no reliable evidence to show whether such instruction would make much difference in the students' learning, but also because there is no federal legal requirement for schools to provide bilingual or bicultural education.

The authority for OCR's position stems from a provision of the Civil Rights Act of 1964 which bars national-origin discrimination by recipients of federal funds. In May, 1970, OCR issued a memorandum defining language as basic to national origin and requiring schools to take "affirmative steps" to correct the English language deficiency of many minority children in order to provide them with equal educational opportunity. Nearly four years later, in January, 1974, the Supreme Court upheld the OCR position in *Lau v. Nichols*, a San Francisco case involving about 1,800 Chinese-speaking students who had received neither the special English instruction given to other Chinese speakers nor any other special instruction.

Legal Services attorneys from San Francisco's Chinatown had brought the *Lau* suit on Constitutional grounds, but both the federal district court and the appeals court rejected their contention that the pupils had a Constitutional right to any special instruction. When the case reached the U.S. Supreme Court, the Justice Department entered the suit, arguing that San Francisco was in violation of the 1970 OCR memorandum. A unanimous High Court affirmed that federally funded schools must " 'rectify the language deficiency' in order to open instruction to students who had 'linguistic deficiencies.' " No longer could educators ignore these students. No longer was "sink or swim" a permissible attitude. No longer could schools provide equal opportunity merely by offering these pupils equal services. The Supreme Court said that "there is no equality of treatment merely by providing students with the same facilities, textbooks, teachers and curriculum" since "those who do not understand English are certain to find their classroom experiences wholly incomprehensible and in no way meaningful." *Something* additional had to be done.

But the Court neither required bilingual education as the remedy nor favored it over other approaches, and its ruling did not deal at all with bicultural instruction. The Court, which had not been asked to supply a solution, left the remedy to the school district, stating, "Teaching English to the students of Chinese ancestry is one choice. Giving instruction to this group in Chinese is another. There may be others."

After the *Lau* decision, however, OCR assembled a task force composed of

bilingual-bicultural advocates. The members drew up what are known as the "Lau Remedies," which were approved by OCR and USOE and issued in the summer of 1975. These "remedies" declare that if school districts found in violation of *Lau* have 20 or more students from any non-English language group, they must provide transitional bilingual-bicultural education to all elementary school children who solely or primarily speak the native language. This represents the bulk of the affected children and the chief targets of the bilingual-bicultural movement. In addition, the task force said, similar instruction must be provided for all intermediate-level pupils who do not speak English. For both these groups, special instruction in English is "not appropriate" in itself, the task force stated, although it is an essential component of bilingual education. Finally, the "remedies" indicate that bilingual-bicultural instruction may be required for students who are equally proficient in English and the native tongue but who are doing poorly in school.

The "Lau Remedies" apply to school districts with students whose "primary or home language" is not English. OCR separately identified 334 districts, containing an estimated 1.1 million national-origin minority pupils, to be investigated for *Lau* violations. The agency used the same definition of eligible children – by their "primary or home language" – to determine the special instruction needed once violations were found, and it relied on the language *spoken* by students to determine both violations and remedies. An extensive language-inspection procedure prescribed by the "Lau Remedies," for example, states that a:

> . . . *district must, at a minimum, determine the language most often spoken in the student's home,* regardless of the language spoken by the student, the language spoken by the student in the home and the language spoken by the student in the social setting (by observation) . . . An example of the latter would be to determine, by observation, the language used by the student to communicate with peers between classes or in informal situations. These assessments must cross-validate one another (Example: student speaks Spanish at home and Spanish with classmates at lunch). Observers must estimate the frequency of use of each language spoken by the student in these situations. In the event that the language determinations conflict (Example: student speaks Spanish at home, but English with classmates at lunch), *an additional* method must be employed by the district to make such a determination (for example, the district may wish to employ a test of language dominance as a third criterion). In other words, two of the three criteria will cross-validate or the majority of criteria will cross-validate (yield the same language).

All this raises numerous questions. Why does OCR identify eligible students by their "primary or home language" when the Supreme Court decision is limited

to pupils with "linguistic deficiencies" in English? The OCR definition could include students who are proficient in English but who may speak another language at home or elsewhere. Knowing the language spoken in a student's home is essential for the school to communicate with parents, and the bilingual movement counts increased parent participation in the school as one important result of bilingual education. But the question raised by *Lau* is not which language students speak on different occasions or whether the students speak another language more often than English, but whether they have a command of English itself. As political scientist Gary Orfield states, "The basis for the *Lau* right vanishes once a student can function effectively in the normal English curriculum." Moreover, the "Lau Remedies" scarcely take account of the fact that speakers of other languages often cannot read or write them well. Spanish and its variants, for example, are more oral than written or read languages in this country.

What appears called for above all by the *Lau* decision is a test of English proficiency, spoken and read, to discover if there are "linguistic deficiencies." If there are, a test of the native language would appear in order to see which language the student is better equipped to learn in. Presumably, the native language test would include reading ability of students beyond the first few grades. Otherwise, it would be possible in some cases to end up with, say, third grade students who chiefly speak Spanish at home or in the cafeteria but who cannot understand the Spanish language texts they are using and who are, in fact, more proficient in reading and writing English.

The *Lau* task force members, also supporters of bicultural education, prescribed in general terms what should be done in the bicultural area as well: "Required courses (example: American history) must not be designed to exclude pertinent minority developments which have contributed to or influenced such subjects." They did not say who would decide which minority developments contributed to, influenced or were pertinent to American history. The implication was that OCR would make these judgments or, in any court action designed to enforce the "Lau Remedies," that the court would make such determinations.

Recognizing that it could not directly require school districts to provide such bilingual-bicultural instruction, OCR reminded its regional offices in April, 1976, that the "Lau Remedies" were "guidelines only." But the agency also took another critical position: Affected school districts which did not choose to provide bilingual-bicultural instruction would have to prove that whatever they proposed would be "effective to cure the violation." It shifted the burden of proof to the school districts. Dr. Paul McRill, coordinator of bilingual programs for the Seattle, Washington, school system, which has signed a *Lau* agreement with OCR covering 13 of that city's 50 language groups, asks the obvious question: "How can you prove something is equally as good as something else which nobody has proved the worth of? You come to a logical dead end on that one immediately."

If the national government has spent more than half a billion dollars without demonstrating the effectiveness of bilingual-bicultural education, it seems fair to ask how a local school district can be expected to prove that another approach would be "effective." As often happens in civil rights cases, the issue is decided by which side must prove the unprovable. Or, as attorneys for the Puerto Rican Legal Defense and Education Fund, Herbert Teitelbaum and Richard J. Hiller, put it, "when litigating in the area of civil rights, it is particularly true that the party able to shift the burden of proof is most often the party who prevails." Unless a school system acting in good faith can shift the burden of proof back to OCR, the agency's position amounts to a requirement that transitional bilingual-bicultural instruction be provided for the bulk of the students in affected school districts. The "Lau Remedies" are much more than "guidelines only."

III

Affirmative Ethnicity: Maintaining the Mother Tongue and Culture

There is an important irony in all this: Bilingual education leaders tend to dislike the very transitional bilingual-bicultural programs that have sprung up in the wake of their drive. They oppose the idea of using native languages only temporarily as bridges into English instruction. Dr. Josue M. Gonzales of Southern Methodist University, expressing the prevailing sentiment of the movement, complains that this approach "helps maintain the outdated 'melting pot' syndrome which discourages cultural pluralism in American society." What he and almost all other bilingual-bicultural advocates want are language and cultural "maintenance" programs. In these, students continue to learn partly in their native tongues and about their own ethnic cultures even if they are fluent in English, though the amount of time divided between the mother tongue and English, the number of years such dual instruction is continued, and the specific methods involved can vary widely.

From the outset, bilingual-bicultural education backers have sought to shift federal concentration away from the pupil's disadvantage in English and to give equal importance to maintaining the mother tongue and culture. Some advocates intensely dislike the idea of government even defining eligible children as "limited English-speaking" or as having "linguistic deficiencies" in English, suggesting that these are demeaning descriptions. Joe J. Bernal of the Intercultural Development Research Association in San Antonio, Texas, for example, says of these definitions that "every effort must be made by federal officials *to expunge pejorative labels in national policy.*"

Bilingual-bicultural education backers have offered many – and many different – reasons why they think maintenance programs deserve support. Justifications include social justice claims by groups that were conquered or that have suffered from severe discrimination, beliefs about effects on the psychology and achievement of students, a desire to build national language resources, a belief in the "enrichment" such programs would provide to individuals and the society, and a determination to reinforce ethnic attachments for their own sake. Ideally, however, almost all advocates envision maintenance programs as producing students who are entirely bilingual and bicultural, a view that is central to their broader definitions of what cultural and language "pluralism" should mean in America. If policy judgments are to be made in this area, it is essential to understand what is suggested by such phrases as the "melting pot" and "cultural pluralism," since these terms have a wide range of meanings.

If the "melting pot" is intended to mean pouring all Americans into the same mold, creating a "homogenized" society, it is widely accepted that this has not occurred and is not likely to occur. Nathan Glazer and Daniel P. Moynihan stressed this fourteen years ago in *"Beyond the Melting Pot"*:

> The point about the melting pot is that it did not happen . . . The fact is that in every generation throughout the history of the American republic, the merging of the varying streams of population differentiated from one another by origin, religion, outlook has seemed to lie just ahead – a generation, perhaps, in the future.

If anything, we are in the midst of an ethnic resurgence today. The turning to ethnicity has been all around us – in Alex Haley's *Roots*, in Irving Howe's *World of Our Fathers*, in Michael Novak's *The Rise of the Unmeltable Ethnics*, in ethnic airline ads urging trips back to nations of origin, in ethnic magazines, in ethnic television shows, in ethnic conferences, and in an ethnic therapy experiment for Jews at the University of California at Berkeley. Many complex explanations can be offered for this search for purpose, roots and identity. But it is not considered accidental that the ethnic phenomenon has accelerated as confidence

and faith in American society have been shaken by political assassinations, race riots, Vietnam, campus upheaval, Watergate, a jittery economy, the energy crisis and much else in the past 15 years. "This new enthusiasm for ethnicity has risen almost in exact proportion as belief in the American dream has declined," state anthropologists Howard F. Stein and Robert F. Hill. Nor is it surprising that the ethnic wave has been accompanied by a religious revival, as reported by the Gallup Poll and numerous studies. Ethnicity and religion are intimately related. In religious historian Martin E. Marty's words, ethnicity is "the framework or skeleton of religion in America." In short, there appears to be little need to battle the "homogenization" idea today. Some, in fact, see the opposite problem. Gunnar Myrdal, in a 1974 essay entitled "The Case Against Romantic Ethnicity," wrote, "What is obviously needed in America is a much higher identification with the nation as a whole, not merely people identifying within their separate ethnic groups."

Supporters of bilingual-bicultural maintenance programs, however, are not talking about romantic ethnicity. A private rummaging through ethnic memories is not what they mean by "cultural pluralism." They are determined to provide protection for existing language and cultural communities, not memories, and their efforts are not in the private realm. The critical distinction in their drive, in fact, is that they are seeking *government-financed and government-promoted* ethnic identities through use of language and culture in the public schools, a policy which might be called *affirmative ethnicity*. They want Washington to sponsor limited English-speaking students' attachments to their ethnic languages and histories while these pupils also go through the normal process of learning the common English language and the common national history.

Their drive also should not be confused with another long-standing version of "cultural pluralism" in the schools – efforts to teach "each about every," to promote greater tolerance and respect across ethnic and racial groups. That was long the aim of the "intercultural" or "intergroup" education movement, which one scholar, Nicholas V. Montalto of the University of Minnesota's Immigration History Research Center, traces back to ethnic studies classes begun by a Woodbury, New Jersey, high school teacher in the late 1920s. That movement flourished during the late 1930s and the 1940s, resulting in ethnic studies curricula in schools in Cleveland, Denver, Minneapolis, Pittsburgh and other cities. But advocates concluded at that time that teaching students about each others' heritages or about prejudice did not necessarily foster greater understanding between groups. One 1952 book, *Intergroup Education in Public Schools*, found:

> There has been, for example, a rich crop of instructional units on the special contributions of immigrants, Negroes, Jews and other ethnic groups . . . [but] . . . research has demonstrated that facts alone are

relatively ineffective in combating prejudice, feelings of distrust or rejection, or any behavior that has emotional roots. Direct attack on deep-seated or emotionalized preconceptions by such methods as exhortation, analysis of prejudice or teaching about the consequences of social conflicts, results in the setting up of defense mechanisms. Such techniques may actually freeze undesirable attitudes rather than change them.

There is, of course, no rational alternative but to keep trying to promote understanding and tolerance across groups, and such attempts long have been common in the schools, most obviously in desegregation efforts. Perhaps the clearest reflection of the intergroup and intercultural education movement today is in pressures on textbook publishers to include passages about more and more groups in American history texts. This, however, is not the main thrust of the bilingual-bicultural movement's drive for government-sponsored maintenance of ethnic languages and cultures. Though the movement certainly is concerned about cross-cultural understanding, its chief emphasis is on teaching "you about yours." The "melting pot" philosophy, in the view of the bilingual-bicultural movement, most basically means the absence of public funding for this purpose.

The issues, then, are not whether one favors "pluralism" or "diversity," but who pays for pluralism, how the money is distributed, what underlying social goals are being sought, and how much, if any, public status should be given to other languages and their cultures. The issue – and this cannot be emphasized too strongly – is *not* the unquestioned importance of ethnicity in individuals' lives, any more than it is the unquestioned importance of religion in individuals' lives. The issue is *not* the right or the desirability of groups to maintain their languages and cultures. The issue is the government role. The overriding question is whether the federal government is responsible for financing and promoting student attachments to their ethnic languages and cultures, jobs long left to families, religious groups, ethnic organizations, private schools, ethnic publications and others.

The affirmative ethnicity philosophy has stirred continuous though little-noticed debate in Congress and the Executive Branch, and it has long woven its way in and out of federal policy. Some believe the 1968 Bilingual Education Act was written broadly enough to encourage supporters of maintenance programs. More specifically, in a 1971 manual for project applicants and grantees, HEW suggested that language pluralism was the underlying aim of Title VII. The manual said that "it must be remembered that the ultimate goal of bilingual education is a student who functions well in two languages on any occasion." But in a December, 1974, HEW policy memorandum, the department's

last statement on the issue, Under Secretary Frank Carlucci stressed the opposite position. He remarked:

> The cultural pluralism of American society is one of its greatest assets, but such pluralism is a private matter of local choice, and not a proper responsibility of the federal government. . . It is clearly the intent of Congress that the goal of federally-funded capacity building programs in bilingual education be to assist children of limited or non-English speaking ability to gain competency in English so that they may enjoy equal educational opportunity – and *not* to require cultural pluralism.

Actually, Congress' intent was not at all as clear as Carlucci suggested. The controversy over this critical point, in fact, played a pivotal role in 1973 and 1974 Congressional action to renew the expiring authorization statute for Title VII, and the issue was never fully settled.

The legislation ultimately enacted in 1974 made numerous changes which pointed Title VII in new directions. The program no longer would be just for children of poverty; any limited English-speaking student could qualify. Although the program would still be mostly for Hispanic groups – about 80 per cent of Title VII funds go to projects which teach in Spanish – the policy of Title VII became the establishment of "equal educational opportunity for all children." The fact that bilingual education is an experimental technique was de-emphasized. The word "demonstrate" was included only once, in the policy statement's third purpose: "to demonstrate effective ways of providing, for children of limited English-speaking ability, instruction designed to enable them, while using their native language, to achieve competence in the English language." If there were any questions about whether special instruction in English could qualify by itself as "bilingual" education under the Act, this and other wording in the measure ruled that possibility out; the mother tongue *had* to be used.

In another major legislative change, bicultural instruction was elevated to a *required* component of Title VII programs. The definition of "bilingual" education now meant such instruction had to be given "with appreciation for the cultural heritage of such children . . ." This underlined the fact that language and culture were not merely being used as vehicles for the transmission of information but as the central sources of ethnic identity. The U.S. Civil Rights Commission had in fact urged that the name of the law be changed to "The Bilingual-Bicultural Education Act," but key Senate staff members blocked this idea. They feared it would "flag a potentially dangerous issue that might defeat the overall measure," Dr. Susan Gilbert Schneider reports in a valuable dissertation on the making of the 1974 act. Some lobby groups had expressed discomfort about federally sponsored biculturalism. The National Association of School Boards suggested that the

legislation could be read as promoting a divisive, Canadian-style biculturalism. The United Auto Workers union was concerned that the bicultural component might lead to separation rather than integration in the schools. Neither group, however, pressed these issues publicly.

The separation or segregation issue did emerge, though, in other important ways. One was the direct question of who would be in bilingual-bicultural classrooms, an issue long debated within the movement. In 1973 testimony before the Senate Education Subcommittee, for example, the Puerto Rican Association for National Affairs complained that too many English speakers were using classroom space and money intended for Puerto Rican children and urged that this stop. Others, such as Dr. Cardenas, have argued that segregation, which he considers "repugnant," is not necessary in bilingual education. In the 1974 legislation, the question was carefully compromised. The measure stated:

> A program of bilingual education may make provision for the voluntary enrollment, to a limited degree therein, on a regular basis, of children whose language is English, in order that they may acquire an understanding of the cultural heritage of the children of limited English-speaking ability for whom the particular program of bilingual education is designed. In determining eligibility to participate in such programs, priority shall be given to the children whose language is other than English. In no event shall the program be designed for the purpose of teaching a foreign language to English-speaking children.

Segregation also was central to the question of how many and what kinds of classes would be taught in the native language. The legislation stated that "with respect to elementary school instruction, such instruction shall, to the extent necessary, be in all courses of study which will allow a child to progress effectively through the educational system." But in "such courses or subjects of study as art, music, and physical education, a program of bilingual education shall make provision for the participation of children of limited English-speaking ability in regular classes." USOE regulations repeat these provisions and add: "Nothing . . . shall be construed to authorize isolation of children of limited English-speaking ability by language or ethnic background unless the applicant demonstrates that separation for specific language learning activities for a portion of the school day is essential to the achievement of the purposes" of the program.

The evidence indicates that Title VII programs have been highly segregated. This was made strikingly clear by a 1974 survey of fifth-year Title VII projects for Chicano students, conducted by the National Education Task Force de la Raza. The survey showed that the student composition of the bilingual classrooms was "88 per cent Mexican American, 8 per cent Anglo and 3 per cent black." The General Accounting Office's 1976 study of Title VII reported results which, on the

surface, might appear to contradict this finding. In many of the 16 projects it reviewed, the GAO said, most students actually were dominant in English. This, however, does not mean there was less racial segregation. Rather, it reflects the fact that many Hispanic American children in bilingual classes have been judged to be more proficient in English than in Spanish.

Whether bilingual-bicultural education carries impulses of social separation ultimately rests on whether a program is temporary or permanent. Segregating students temporarily in basic skills classes in the native tongue as a way of helping them into English instruction has been justified on both compensatory education and civil rights grounds; the aim clearly is integration. But keeping students segregated in those classes to maintain the native language and culture, with teachers who are most often from the same racial group, cannot be so justified. Observers both inside and outside the bilingual movement have raised profound doubts about the wisdom of segregating students for maintenance programs.

Dr. William G. Milan of Columbia University's Teachers College, who directed one of the nine "Lau Centers" set up by HEW to help school districts comply with the Supreme Court ruling, remarks that:

> . . . maintenance bilingual programs in the public sector usually end up as ghettoized, ethnically identifiable, education nuclei (sort of a system within a system) that very seldom offer the same quality education that is available to the rest of the district's population . . . What is truly alarming about maintenance bilingual education in the public school system is that it is often *used* as an instrument of segregation in disguise, and that it much too often sets as its primary goal the preservation of the mother tongue at the expense of a good quality education that will enable the members of the marked [language minority] group to compete in an unmarked [English-speaking] job market.

Dr. Milan is referring to maintenance programs which he has visited in the Northeast and which have been begun chiefly on a pilot basis. It is important to note that, by his definitions, "maintenance" programs are by nature segregated. He considers projects which include significant numbers of English speakers from other groups "enrichment" efforts, though he says that he has not seen many programs which meet his definitions for enrichment.

Political scientist Orfield, who has concentrated on civil rights issues and particularly on integration, says of maintenance programs: "There must be sober investigation of the possibility that this method may increase community segregation and generate the kind of bitter linguistic politics that often overwhelm Canada, Belgium, India, Cyprus, and many other societies." Dr. Orfield is not suggesting that a Quebec-style movement toward political secession might develop among

Hispanic Americans in this country. There is no reason to believe that the bilingual-bicultural movement has political separation on its mind. In any case, the different Spanish-speaking populations of this country are not considered concentrated enough, large enough or united enough to make that a serious prospect. What Dr. Orfield means by "bitter linguistic politics" is that "language could become a major point of cleavage in state and local politics in many areas, in educational institutions, in job qualifications and in general social relations."

The dominant sentiment among bilingual-bicultural advocates, however, has been to press for maintenance programs in the Congress, in OCR enforcement, and in the courts. In Congress, the leading proponents of federally sponsored maintenance programs have been Democratic Senators Alan Cranston of California and Edward M. Kennedy of Massachusetts. They and their staffs have taken the initiative on bilingual education in recent years. In 1974, they sought to allow Title VII to finance maintenance programs. By the time the authorization measure emerged that March from the Senate Committee on Labor and Public Welfare, they had succeeded. The legislative language of the Senate measure did not trumpet this change. But it defined bilingual education as a "full-time program of instruction, designed for children of limited English-speaking ability in elementary or secondary school, in which, with respect to the years of study to which such program is applicable . . . there is instruction given both in the native language of the children of limited English-speaking ability and in English and given with appreciation for the cultural heritage of such children . . ." That legislative language was broad enough to include maintenance programs, especially if one overlooked the fact that students in maintenance programs as a rule are proficient in English, though they may still be from "environments where a language other than English is dominant."

When the measure passed the Senate two months later and was sent to conference with the House of Representatives, the unrestricted purpose of the bill was again clear. In the abbreviated summary of differences between the Senate and House versions, the Senate measure described bilingual education as "a full-time instructional program, either elementary or secondary, with instruction in both native language and English and including instruction in history and culture of both parent nation and U.S."

House proponents of bilingual education had planned from the outset to make their version of Title VII relatively innocuous in order to make as few waves as possible in that more conservative chamber. "In the House," Dr. Schneider reports, "the strategy was one of 'low profile,' permitting the Senate to take the lead in bilingual-bicultural education . . . but striving to avoid any negative legislative history which might prevent the House Conferees from accepting the Senate version." The House Conferees, though, did not simply accept the Senate version. Republican Repre-

sentative Albert Quie of Minnesota, reflecting both his own and the Ford administration view on various issues, succeeded in getting modifications in several parts of the Senate measure. In particular, the definition of bilingual education was limited by the Conferees to what it ultimately became in law: a program giving instruction in "English and, *to the extent necessary to allow a child to progress effectively though the educational system,* the native language of the child of limited English-speaking ability."

This legislative standard, however, still left the maintenance issue blurry. "The Senate Conferees believed that standard would result in the native language being required at least through the elementary school years," Dr. Schneider reports. The law obviously did not exclude federally sponsored maintenance programs, which it could have done by restricting the number of years a Title VII project could be funded. In 1973, proposed USOE regulations had taken the position that funding should be limited to five years for any one project, but that idea was killed. Democratic Representative Carl D. Perkins of Kentucky, Chairman of the House Committee on Education and Labor, and others had objected on the grounds that the Bilingual Education Act contained no such ceiling and that the time needed for a bilingual program to accomplish its goals was not known. Actually, it can take anywhere from a matter of weeks to six years for a student in a bilingual program to acquire a basic proficiency in English. This depends largely on whether English is introduced slowly or swiftly. The "extent necessary" for a child to learn in the native language rests heavily on how long it is considered *desirable* to learn in that language and on how much importance is placed on learning English rapidly.

The House Conferees, at any rate, were sufficiently concerned about the legislation's ambiguity to caution in the conference report that the "definition not be misinterpreted to indicate that an ultimate goal of the program is the establishment of a 'bilingual society.' "

The key policy question that naturally arises, so far as Title VII is concerned, is: To what extent is the federal government already supporting efforts to maintain ethnic languages and cultures? Manuel D. Fierro, president of *El Congreso,* the National Congress of Hispanic American Citizens, the umbrella lobbying group for Hispanic Americans in Washington, says: "In school districts where we have a significant number of Spanish speakers and where the districts are beginning to be controlled by our community, they are beginning to implement bilingual curricula across the board." Does this mean that Title VII money is being used widely for maintenance efforts but that federal officials are winking at this? "I think that's a fair statement," Fierro replies. "I wouldn't say everybody. I'd say that a great number of programs are using it for maintenance."

Dr. Molina, Director of USOE's Office of Bilingual Education, however, contends that there is exaggeration in such assertions. "If you ask somebody if they have a maintenance or transitional program, they'll say maintenance because they think maintenance is what they ought to have. On the other hand, if you look at what they're doing, I'd say that 80 percent of our programs are from kindergarten through fifth grade. That's a transitional program." Programs in junior high or high school could be for limited English-speaking children entering U.S. schools at those levels. Dr. Molina, however, says his office has not specifically asked Title VII project directors whether they are using the funds for maintenance efforts.

Dr. Molina personally has favored the maintenance position since he took over the program in 1973. That September, he circulated a paper which endorsed a bilingual-bicultural approach "which would effectively manifest itself in a well-planned program begun at the pre-school level and continuing through the child's secondary career." But he has not publicly pressed for federal support of the maintenance philosophy.

There actually is no question that Washington has been financing language and cultural maintenance programs at least through elementary school. Any doubts about this were ended by the interim AIR "impact" report, which examined classes from grades two through six where 75 percent of the students were of Hispanic descent. The study found that *teachers judged about 70 percent of their students to be dominant in English, not Spanish, for test-taking purposes,* indicating that their Spanish abilities were being maintained. Teacher judgments, as bilingual advocates have noted, are not reliable measures of language dominance – the actual figure could be lower or higher – but no generally accepted and validated tests have been developed to compare pupil proficiency in speaking, understanding, reading and writing different languages. This is another hindrance to effective bilingual education policy.

Indeed, many students have been admitted to bilingual programs in the first place on grounds that do not necessarily measure difficulties with English. The 1976 GAO study found that students were in programs based on, among other things, their surnames and Census Bureau data. The AIR study reported that, of the reasons given by teachers for placing students in bilingual projects, "Generally, less than a third of the students in the bilingual classrooms were there because of their limited English-speaking ability (target students of Title VII legislation)."

But the point is that bilingual-bicultural advocates *want* to provide such instruction to students who are proficient in English, and they would continue wanting this even if they had foolproof measures of language dominance. They *want* to maintain the native language and culture regardless of English fluency. In fact, the AIR interim study reported that 86 percent of the Title VII project directors had a *policy* of keeping students in such classes after they could learn in English,

illustrating that "by far the majority of the projects were implementing a Spanish maintenance bilingual project." This not only confirms the GAO finding that largely Hispanic-origin students who were judged English-dominant made up the majority in many Title VII projects, but it also confirms the results of the 1974 survey by the National Education Task Force de la Raza. The highly segregated projects examined in that survey were overwhelmingly designed to maintain the native language: "A very large percentage – 87 per cent – of the programs surveyed considered their programs to be a language maintenance program rather than a transitional program."

As stated previously, the Title VII program has been sensitive about the segregation issue and has sought to allow the voluntary enrollment of a "limited" number of English speakers from other ethnic and racial groups. That is sharply different from maintaining the native language and culture of children from the same racial and ethnic group.

The determination to have maintenance programs raises a painful dilemma for the bilingual-bicultural movement itself. *Any federal funds spent to maintain the native languages of students who are proficient or dominant in English takes these limited resources from children who cannot learn in English and who therefore are most in need.* Although bilingual-bicultural advocates do not want to have to make such a choice, it is inescapable. As advocates themselves often have noted, funds are not sufficient to reach a significant portion of students who have little or no command of English. The $115 million being spent under Title VII in fiscal 1977 is going to classes serving 260,000 children (many of whom have been judged by teachers to be dominant in English, at least for the reading and writing necessary to take tests). The $135 million requested by President Carter for fiscal 1978 could not reach too many more children, and there is no prospect that the estimated $2 billion needed to reach 3.6 million pupils is on the horizon, particularly in light of the absence of reliable evidence about the effects of bilingual-bicultural education. Children who cannot learn effectively in English are numerous, resources limited. The choice cannot be avoided. Indeed, to the extent that funds currently are being used to maintain native languages of children who are proficient or dominant in English, the choice already is being made. The GAO report urged, in fact, that English-speaking students "should be limited in some way so that available program services are concentrated on the target population."

Pressures for the government to promote ethnic identities have not been limited to legislation. Last October, for example, the National Institute of Education sponsored six conferences across the country to discover what

bilingual-bicultural backers thought NIE should do in setting up a National Clearinghouse for Bilingual Education, as required by the 1974 Bilingual Education Act. A key recommendation: that the Clearinghouse should "work to achieve a national bilingual education policy" which would "endorse the concept of language maintenance."

The maintenance drive also played a role in the "Lau Remedies" written for OCR. Facing the question of how to "rectify the language deficiency" of these students, the OCR task force urged the agency to support maintenance programs. "We told them there was no way we could require school districts to do that," says Dr. Lloyd R. Henderson, director of OCR's Elementary and Secondary Education Division. But the agency did give further federal sanction to language and cultural maintenance in the schools. The "Lau Remedies" state that it is "acceptable" for affected school systems to provide programs in which "the end result is a student who can function, totally, in both languages and cultures" or "a student who can function, totally, in more than two languages and cultures."

Finally, bilingual-bicultural leaders have taken the maintenance issue to the courts – and in one case, San Francisco, they have won a maintenance program. That case, it will be recalled, originally was based on a complaint that about 1,800 Chinese-speaking students were receiving neither the special instruction in English being provided for other Chinese speakers nor any other special language assistance. In October, 1976, the federal district court issued a consent decree ordering implementation of a plan designed to provide "full 'maintenance' bilingual-bicultural programming for all major language groups" in the San Francisco school district.

It has been suggested that whatever San Francisco did would provide a model for other cities. In a 1975 report supporting bilingual-bicultural education, for example, the U.S. Civil Rights Commission said, "The *Lau* remedy promises to set the example for other districts contemplating their responsibilities to provide equal educational opportunity for language minority students." But the San Francisco plan extends far beyond what school systems must do to satisfy *Lau*.

The *Lau* decision has put the courts in a position of making important judgments on school curricula, something they have been wary of doing, and it has raised many complex and as yet unanswered questions. But the basic issue before the courts is whether transitional bilingual education is required for students with English language deficiences, or whether schools may provide special instruction in English or some other special help, as indicated by the Supreme Court.

There have been four basic court actions since *Lau* other than the one in San Francisco. In one, *Serna v. Portales Municipal Schools*, the Tenth Circuit Court of Appeals upheld a modest bilingual program for Chicano students in Portales, New Mexico. The plan provided for 45 minutes to an hour of bilingual instruction

daily in one elementary school which was overwhelmingly Chicano, and half an hour of such instruction in three schools which were mainly non-Chicano. The second case, *Aspira of New York, Inc. v. Board of Education of the City of New York*, resulted in a consent decree providing that transitional bilingual instruction be offered in basic courses to students with English deficiencies, or at least to those whose abilities in English were worse than their abilities in the native language. The decree also provided for a version of the negative checkoff device: Eligible students are enrolled unless parents take positive steps to withdraw them. As of May, 1976, 8,532 of 58,448 eligible children had been withdrawn from the bilingual program by their parents. As with all negative checkoff devices, it is assumed that participation would be considerably lower if parents had to affirmatively sign up their children for such instruction.

In the third case, *Otero v. Mesa County Valley School District, No. 51*, the Federal District Court for Colorado denied a request by Mexican American plaintiffs for bilingual education and other instruction tailored to Chicano culture, language, class and race. The denial was based on court findings that the Chicano students generally were not deficient in English, that those who were deficient in English were also deficient in Spanish, and that "the record is quite weak in proving that the problems of a single Mexican-American in District No. 51 are fairly attributable to language deficiency." The court held that socioeconomic class was the dominant factor in their school achievement. This case did not give guidance regarding what kind of instruction can be provided; rather, it raised questions about how to determine language deficiencies. It also demonstrated anew the dilemmas courts face in relying on evidence from social scientists and educators. "Listening to these experts," the court said, "causes one to conclude that if psychiatrists' disagreements are to be compared to differences between educators, psychiatrists are almost of a single mind."

What has immensely complicated the court situation is the conflict between bilingual education and integration, an issue that arises in the context of desegregation cases and that is troubling many in the civil rights movement. While the *Lau* ruling required special language instruction for students with English deficiencies, the Supreme Court's decision in *Keyes v. School District No. 1*, involving Denver, required Mexican American students to be desegregated throughout the system. In *Keyes*, the High Court defined Mexican Americans as constitutionally similar to blacks so far as segregation was concerned:

> . . . though of different origins, Negroes and Hispanos in Denver suffer identical discrimination in treatment when compared with the treatment afforded Anglo students. In that circumstance, we think petitioners are entitled to have schools with a combined predominance of Negroes and Hispanos included in the category "segregated schools."

At the remedy stage of the *Keyes* case, the Mexican American Legal Defense and Education Fund (MALDEF) sought to secure bilingual education programs and other instruction in Denver specifically tailored to Chicano culture, race and class. The plan presented in that case – and later in the *Otero* case – was developed by Dr. Cardenas, executive director of the Intercultural Development Research Association in San Antonio. Dr. Cardenas believes courts have failed in desegregation because they have not gotten involved in "instructional desegregation" of the schools. "What they should have done," he remarks, "is to say, 'You, white, Anglo, middle-class, educational personnel, are hereby ordered to change your attitude about the black population."

With Blandina Cardenas, he has developed a theory, called "The Cardenas-Cardenas Theory of Incompatibilities," which blames the school failures of minority students on language, cultural, racial and class bias in the instructional program. This is one of a number of theories in this area. In *Cultural Democracy, Bicognitive Development, and Education,* for example, Manuel Ramirez III and Alfredo Castaneda maintain that schools should tailor their teaching to the different learning styles, as well as to the language and culture, of the student.

In *Keyes,* the federal district court accepted the Cardenas plan, determining that is should be carried out in four, heavily Mexican American schools. But, in the fourth important court action, the Tenth Circuit Court of Appeals rejected the lower court decision on two grounds. First, it said, bilingual education, which is not a constitutional right, "is no substitute for desegregation." Second, it held that the Cardenas curriculum "goes well beyond helping Hispano school children to reach the proficiency in English necessary to learn other subjects. Instead of merely removing obstacles to effective desegregation, the court's order would impose upon school authorities a pervasive and detailed system for the education of minority children. We believe this goes too far."

The same Tenth Circuit Court of Appeals, it will be remembered, did approve a modest bilingual program later in the *Serna* case in Portales, where desegregation was not an issue. The court trend suggests that desegregation takes precedence over bilingual education in the federal courts. City after city has been struggling with ways to reconcile the two Supreme Court decisions. The latest example of this struggle comes from Los Angeles, which is drawing up a desegregation plan under a state, not a federal, court order. There, *The New York Times* reports, the "Mexican American community, the largest in the nation, is concerned that the city's proposed busing program for integration will result in a downgrading of bilingual education and fewer teacher jobs for Mexican Americans." The purpose of this paper is not to scrutinize the ways being proposed to accommodate both goals, a subject of heated debate.

As for cases where desegregation is not an issue, it is at least abundantly clear that language and cultural maintenance plans are not required of any school system. San Francisco chose to provide such a plan, and the district court approved. What other school systems and other courts will do is still an open question.

IV

The Paradox of Maintenance

The drive for maintenance programs raises a second important irony: If such efforts were to succeed, they would be just as likely to help erode ethnic languages and cultures in America as to nourish them. Dr. Joshua A. Fishman of Yeshiva University, perhaps the preeminent U.S. scholar on the sociology of language, comments that "research has conclusively demonstrated—in the U.S.A., in Ireland, in Wales, in Israel, in Scotland, in Friesland, and elsewhere—that the school is a rather unreliable ally of language maintenance, leading appreciably and frequently in other directions, i.e., toward the 'wider' language of market place, of industry, of government and of scholarship."

This seeming contradiction is not difficult to understand. If limited English-speaking students become well educated in English as well as in their native languages, most of them probably would find English the more useful language in our 96 percent English-speaking society, and there would likely be a steady attrition in use of the native tongue. That, in greatly oversimplified form, is the pattern Dr. Fishman is citing in this country and elsewhere.

If transitional programs were to succeed, of course, they would have the same effect, only sooner and more surely. That is why such programs worry those who want government to maintain ethnic languages and cultures. Dr. Troike of

the Center for Applied Linguistics, for example, remarks: "I have long said that transitional bilingual programs would more efficiently lead to the extinction of native languages in this country than any amount of repression has succeeded in doing in the past." These fears that bilingual education might succeed too well obviously are premature at this time, given the absence of reliable evidence that such programs make much difference in pupil achievement in English or in the native language. But such concerns are high on the lists of scholars and others in the movement who are familiar with the processes by which minority languages and cultures wither.

Although it is popularly believed that the "melting pot" mentality chiefly forced the decline or disappearance of ethnic languages and cultures in this country, that generally has not been the case, at least for immigrant groups. Cruel anti-foreigner and anti-minority forces have, of course, played prominent and unsavory roles in American history. But, as Dr. Fishman found in a pioneering study he headed in the early 1960s, *Language Loyalty in the United States:*

> By and large, more linguistic and cultural treasures have been buried or eroded due to permissiveness and apathy than would ever have been the case had repression and opposition been attempted. Immigrant minorities were never forbidden to organize and maintain their own communities, organizations, schools, or publications . . . The examples of American life and of American ideology which immigrants encountered all around them have themselves usually been sufficient to weaken and overcome any sentiments or habits of separateness and retentivism harbored by particular groups or particular elites.

In other words, the chief "Americanizing" forces in the past have been access to opportunity, a desire to be part of the nation and its ideology, and a steadily declining commitment among ethnic group members to their ethnic languages and cultures once they have moved into the economic mainstream. This has been evident in the history of many groups. As just one example, Howe notes in *World of Our Fathers*, his eulogy to the Yiddish culture which East European Jews transplanted on New York City's East Side:

> How to educate immigrants in both the English language and American customs became an issue that agitated the East Side for decades. A clean, ruthless sweep of everything they had brought with them? A last-ditch resistance to each and every new influence they now encountered? Not many people openly advocated either course, though there were a good many German Jews, well entrenched in American life, who wanted the first, and at least some Orthodox immigrants who favored the second. Step by empirical step, the immigrant community moved

> toward biculturalism, though its shrewdest spokesmen, like Abraham Cahan [editor of the *Jewish Daily Forward*], understood that even if achieved, this equilibrium between past and present could not be maintained for very long.

This is not intended to equate the experience of one European immigrant group with another, or of white immigrant groups with racial minorities who have suffered from abuse and exclusion long after others have overcome many high barriers. Nor is it meant to equate the histories of immigrants with those of conquered people or "involuntary" Americans. Any effort to generalize about the immensely intricate histories of each ethnic and racial group is a perilous exercise. The point is that reducing discrimination and increasing opportunity in the general society have tended to lead to a decline in loyalties to ethnic languages and cultures. Dr. Fishman and others who are devoted to language and cultural diversity fear that this might happen to Hispanic Americans and other language minority groups–unless their languages and cultures are strenuously reinforced in the wider community. In fact, unless ethnic leaders are prepared to press for extensive use of the native language in the community, to require that the mother tongue be used regularly, Dr. Fishman states, "bilingual education will not only do nothing for them: it will do *less* than nothing." In a very real sense, this view suggests that bilingual-bicultural maintenance programs and wider language pluralism are needed to save members of language minority groups from themselves.

The question is what kind of cultural and language "pluralism" are we now talking about in the wider community. There are no generally accepted definitions of such pluralism among bilingual-bicultural advocates. Dr. Troike, for example, sees community pluralism "to some extent emerging naturally in things like TV programs and newspapers. The city I grew up in, Brownsville, Texas, has been a comfortable place for this all along–newspapers in English and Spanish, radio programs in English and Spanish. I don't necessarily see it being legislated, and certainly not imposed."

Dr. Fishman goes somewhat further, including a need for the native language to be used in local economies. He says, "Those who want bilingual education badly for language maintenance purposes or co-purposes must . . . assiduously preserve the life of their marked minority mother tongue in their own homes, in their own communities, in their own cultures, in their own social institutions, and in their own local economies . . ." Fierro of *El Congreso* asks during an interview, "What's the matter with Miami?", indicating that he would welcome more than one or two officially bilingual cities. Dr. Gonzales of Southern Methodist University suggested in March, 1974, Congressional testimony that this country soon might have to consider making Spanish an official second language on the Canadian model. Appearing before the House General Subcommittee on Education, he said:

In Canada in 1969 the legislature of that country passed the Official Languages Act. That statute requires that the government of that country make available all of its services in either English or French, the two official languages of that country, as may be requested by an individual citizen. Perhaps it is a bit too early to think seriously about a comparable bill in this country. But if the present rate of growth of Spanish-speakers continues, it is not unlikely that we will soon have to consider that as a very definite possibility.

The Commonwealth of Puerto Rico, as you know, conducts all of its official government business in the Spanish language and already there are about one-half as many Puerto Ricans on the mainland as there are on the island. The state of New Mexico has a population that is about 40 percent Spanish-surnamed and it is not unlikely that before long there will be a strong push in that state to return to having Spanish as an official language, something which would not be new there since the state until recently was officially a bilingual state.

What we are proposing here by way of bilingual/bicultural education will make it possible for us to be better prepared for the complexity of such demands when they do come and to demonstrate that this government is truly a representative democracy which is sensitive to the needs of its variegated populations.

Many bilingual-bicultural supporters believe that other factors which long have been contributing to the reinforcement of Spanish will continue to do so by themselves. One such factor is the immigration rate cited by Dr. Gonzales. As reported by the U.S. Census Bureau, the Hispanic-origin population rose steadily from 9 million persons in the full 1970 count to 10.5 million in the 1973 sample, 10.9 million in 1974 and 11.2 million in 1975. The latest sample results, issued for May, 1976, showed a slight, statistically insignificant decline to 11.1 million persons. This represents 5 percent of the population, making Hispanic Americans the second largest minority group after the nation's 24.4 million blacks (11.5 percent). By far the largest Hispanic group is the Mexican American, with an estimated 6.6 million members, followed by 1.8 million Puerto Ricans, 700,000 Cubans, 800,000 Central or South Americans, and 1.3 million of other Spanish ancestry.

Hispanic Americans frequently contend that the Census Bureau has undercounted their numbers, which may be true. But some have made extravagant claims. In a January, 1975, interview on National Public Radio's and the Institute for Educational Leadership's "Options in Education," Angel Gonzales, former school superintendent of Crystal City, Texas, (birthplace of La Raza Unida) and at that time a high official of USOE's Office of Bilingual Education, said: "I feel

right now from what figures we have, and not only from the Department of Immigration and Naturalization, but the number of Spanish-speaking people that we have in this country, it's felt that by 1990 over 50 percent of this country will speak Spanish, or will be Spanish-speaking."

A remarkably high proportion of Hispanic Americans have retained one or another variety of Spanish as their primary language, not uncommonly into the second and third generation. But that still means that 2 percent of the population, or about 4 million persons, report Spanish as their usual language, according to the Census Bureau's July, 1975, special survey of languages; an additional 4.3 million persons report Spanish as their second language.

The factors commonly cited for this reliance on Spanish—the factors which many expect to continue reinforcing the language—including proximity to Mexico and Puerto Rico, the illegal immigration flow from Mexico and Central America, plans for return migrations, frequent trips back to visit relatives and friends, and discrimination in American society. Bilingual advocates naturally view discrimination, a powerful reinforcer of ethnicity, as a positive factor for language and cultural maintenance.

But others, such as A. Bruce Gaarder, former chief of USOE's Modern Foreign Language Section, are convinced that these factors cannot prevent the decline of the language. In a paper examining the fate of minority languages around the globe, he assesses all the forces favoring the maintenance of Spanish in this country and concludes that "it is illusory to suppose that the language(s) of dominated people(s) can be protected without legal recognition and protection of some form of cultural—including linguistic—autonomy. Anything short of such autonomy means assimilation of the weak to the strong." As one example of how bilingual education itself has helped lead to the decline of a native tongue in this country, he cites the Franco Americans and their bilingual schools: "In 1940 they had 249 'mi-anglais, mi-francais, a part egales' French-medium schools with 88,097 pupils. By 1965 French-medium instruction had almost disappeared and they were struggling to assure that French would at least be taught one full period a day as a subject."

The impulse of the bilingual-bicultural movement, then, is by no means unique—except in its contention that government is responsible for financing and promoting ethnic languages and cultures. Spanish-speaking persons face the same dilemma that has plagued all ethnic loyalists who have wanted their children to succeed economically in our English-speaking society but not to weaken their ethnic ties in the process. It is a dilemma they did not have to worry about so long as doors were more tightly closed, and some doubt that Hispanic Americans will end up being different from others here or elsewhere.

"What bilingual education is more than anything else, I believe, is a jobs program," remarks Gaarder. "I say this painfully, because I am one who has organized a league for the defense of the Spanish language. But it's a jobs program. It's fought for because it's a way of giving jobs and recognition and status to Spanish speakers, who traditionally have been at the lowest end of the socioeconomic pole. It's at that level that they fight for it and are going to keep on fighting for it."

There is no question that bilingual-bicultural education policy has been governed in large measure by the Hispanic American quest for more political and economic power and prestige. The policy has, in fact, become perhaps the largest federally funded expression in this country of the ethnic political wave that has swept the globe over the past 20 years or so, a phenomenon which has been preoccupying many scholars. Political scientist Harold D. Isaacs, for example, states in *Idols of the Tribe:*

> We are experiencing on a massively universal scale a convulsive ingathering of people in their numberless grouping of kinds—tribal, racial, linguistic, religious, national. It is a great clustering into separateness that will, it is thought, improve, assure, or extend each group's power or place, or keep it safe or safer from the power, threat, or hostility of others. This is obviously no new condition, only the latest and by far the most inclusive chapter of the old story in which after failing again to find how they can co-exist in sight of each other without tearing each other limb from limb, Isaac and Ishmael clash and part in panic and retreat once more to their caves.

Dr. Glazer and Senator Moynihan have suggested that we are witnessing in this phenomenon the "emergence of a new social category as significant for the understanding of the present-day world as that of social class itself." Whether so sweeping a theory is accurate or not, there no doubt has been a dramatic worldwide increase in political demands made by long-dominated groups in the name of their ethnicity. In this country the trend began with calls in the 1960s for black power and black pride, followed by similar calls by Chicanos, American Indians, Puerto Ricans, Asian Americans and, ultimately, by many different white ethnic groups.

One result has been an inevitable rivalry among minorities for limited public funds distributed by ethnicity. Bilingual-bicultural education in particular has been an important vehicle for Hispanic Americans to increase their share of aid and attention compared with that going to blacks. Fierro of *El Congreso* says, "Going back to the civil rights movement—you know we were very much excluded from all that type of programming to a great extent. It was a black-white syndrome, and it has continued to be a black-white syndrome even today." Of Bilin-

gual Education Act funds, he says, "As long as we get our 80 percent, the others can have their 20 percent—and the blacks can't get this money."

This kind of ethnic rivalry extends far beyond bilingual-bicultural education. One of its purest expressions was reported by the *National Observer* in an August, 1976, article from Saginaw, Michigan:

> At a director's meeting of Saginaw's SER (Spanish for "to be") program, it is clear they feel pitted against the black-oriented Opportunities Industrialization Center (OIC) in bidding for Government funds to find jobs and training for the disadvantaged.
>
> "People say, 'Why don't you identify yourselves as Americans instead of Chicanos, browns, etcetera?,' says Joaquin Diaz, executive director of the Saginaw SER. "If we do that, the Government won't send any bucks. We are forced to have an identity so we can get the services needed."

But such battling becomes particularly sharp when ethnicity itself is the direct criterion for funding, as with bilingual education, the small Ethnic Heritage Studies Act created in response to the urgings of white ethnic leaders, or the ethnic curricula grants made by the National Endowment for the Humanities. During the October, 1973, Senate Education Subcommittee hearings on the Bilingual Education Act, for example, the Puerto Rican Association for National Affairs strongly complained that Puerto Ricans were not getting their fair share of bilingual funds compared with that going to Mexican Americans.

"In pushing for educational reforms in the Southwest," the association said, "the Mexican American groups managed to get funds assigned *according to their real numbers*, not according to the percentage their children represented. Being more organized and vocal in local politics, and having the representation in Congress of 'interested' legislators, they had the necessary power to do this." The association added, "Puerto Ricans and all other non-English-speaking groups should receive as much money as they need to help all their children get an equal education. If there are not enough funds, appropriate more; we do not suggest taking funds from one group to give to another." But it did suggest that "30-40 percent of all funds should go to Puerto Rican communities both on the mainland and in Puerto Rico."

Similar statements have been made by spokesmen for white ethnic groups who have complained about the modest appropriations ($8.3 million over four years) provided for the Ethnic Heritage Studies program. In a May, 1976, speech at USOE, for example, the Rev. Andrew M. Greeley of the Center for the Study of American Pluralism at the University of Chicago's National Opinion Research Center termed the ethnic heritage program "tokenism with a vengeance, a sop thrown at the ethnics to keep them quiet."

The fate of the Bilingual Education Act cannot be understood without recognizing the importance of group and geographic rivalries for more funds. Dr. Albar Pena, first director of the Title VII program, recalls the difficulties of dividing Title VII money. "Imagine if I was to say, 'I'll give some to the West Coast and some to South Texas and some to New York.' Then Los Angeles would probably say, 'We have the vast majority of Spanish speakers, so why not us?' Then take New Mexico and down the line to Colorado and down the line again. The Midwest, of course, was very put out because they felt they weren't getting their fair share. Prior to that, New York raised a big stink because they felt too much money was going to Texas and California." Dr. Pena adds, "With federal money, there will always be that problem [ethnic rivalries]. There is too much politics involved. I maintain that we do not need the federal government to have bilingual education. It is a responsibility of the local school districts . . . "

The effect of these rivalries on the Title VII "demonstration" program was that the first $7.5 million, appropriated for fiscal 1969, was spread thinly among 76 projects. Implementation of the projects was poor, and little, if any, attention was paid to the research called for by Title VII, a point which scholars such as Drs. Troike, Cardenas and others repeatedly have made. Concerns about demonstrating the educational value of bilingual instruction were, in short, not uppermost.

In a 1975 study for USOE on the implementation of four innovative education programs, the Rand Corporation said its examination indicated that:

> . . . among the four programs, bilingual education projects (Title VII) are the hardest to implement and the least successful in meeting their goals. Nevertheless, as of 1975, Title VII is the only one of the programs that Congress is willing to support with more and more money each year . . . There might be cheaper and more effective ways to meet the needs at which bilingual education programs aim. But, the political test is potency—the ability of the claimant to win large-scale support from Congress and thereby the political respect, however reluctant, of school districts that formerly could ignore their demands. Forcing the districts to teach in Spanish is a test of that potency and thereby contributes to the transcending aim—increasing the social self-respect and political power of Mexican-Americans and Puerto Ricans, children and adults alike.

Rand might well have added, as Gaarder and others have, the importance of bilingual education in creating jobs for teachers and aides from language minority groups—and the importance of maintenance programs in sustaining those jobs, which otherwise would self-destruct. Dr. Troike, for example, sees three basic motives behind the drive for maintenance programs:

> Some, with which I am sympathetic, are plainly socio-economic, since more programs would provide more employment for members of minority groups (and it is arguable that role-models in the classroom may be more significant in some instances than specific language or cultural content). Others often less admirable . . . are "political" in one sense or another, either to exploit the program as a vehicle for power in the ethnic community (this need not be by an ethnic politician), or as a means of boosting the position of a school administrator as a successful grantsman. Still others see the potential for building greater linguistic resources in this country, or recognizing the advantages of bilingualism and rewarding it by strengthening rather than diminishing it, and of contributing to cross-cultural respect and understanding and the growth of a pluralistic society.

So far, the quest for political and economic power and prestige has been dominant. Whether it will continue to be so, and what the effect will be on native languages and cultures in America, remain to be seen. In some cases, no doubt, ethnic languages will become less used to make political points once other minority goals are achieved, as has happened with calls for the teaching of Swahili to blacks or with the political use of Navajo. In a 1976 interview with Lael Morgan, a Ford Foundation Fellow in Educational Journalism, for example, Dr. Bernard Spolsky of the University of New Mexico remarked:

> In 1972 the Navajo Education Association held a meeting on bilingual education. The speeches were first given in Navajo and those who wanted to talk English waded through the mud to a small hut out back. All the signs were in Navajo . . . This year they met again and just about the whole meeting was in English. A couple of people made brief speeches in Navajo, but that was it. Now that everything was clearly under Navajo control, they didn't need to stress the language.

But whether native languages continue to be used widely in minority communities depends, as previously stated, on many factors. One is whether bilingual education ends up producing students who are well educated in English or in the native tongue. Another is whether learning English better actually will lead to more jobs and access to other opportunity, which depends on the rate of U.S. economic expansion and the degree of job discrimination that persists in the general society. A third factor is whether the language minority group in question is isolated in a rural area or on a reservation, or whether it is becoming more urbanized, as is the case with Hispanic Americans; the March, 1976, Current Population Survey showed that 84 percent of Hispanic-origin families live in metropolitan areas. The best that can be said at this point is that if language maintenance programs spread and succeed, they stand as good a chance of helping to erode ethnic languages and cultures in America as of nourishing them.

V

Diversity or Conformity?

Another important but often overlooked issue raised by bilingual-bicultural education is its effect on relations *within* groups. There is a widespread impression that ethnic groups are united bodies. Few ideas could be further from reality. Dr. John W. Oller, Jr., a linguist at the University of New Mexico, observes that "there are probably as many differences within cultures as there are across cultures." Or, as social historian John Higham of Johns Hopkins University puts it, "Pluralism encourages the . . . illusion that ethnic groups typically have a high degree of internal solidarity. Actually, many of them are unstable federations of local or tribal collectivities which attain only temporary and precarious unity in the face of a common enemy."

The cultural, political, economic, religious and social differences within groups—and the widely varying degrees of ethnic attachments among individual group members—create immensely sensitive questions for any government which decides to become directly involved in ethnicity. What faction within the group does government support? What version of ethnic identity does it promote? How can government sponsor group attachments without producing pressure on individuals who do not choose to have strong ties to their ethnic groups?

These issues arise in many ways. For example, consider the many varieties of Spanish in the United States. In New Mexico, a 16th or 17th Century version, containing many archaic words, is still spoken. In the Los Angeles *barrios* a different vernacular which has borrowed much from English—called, sometimes

pejoratively, Spanglish–is used. Chicanos in South Texas speak another variety, sometimes pejoratively referred to as Tex-Mex. Puerto Ricans and Cubans and Central and South Americans use still different varieties of Spanish, and within each group, of course, dialects range widely by social class, geography and other factors. Does the government promote a standard Spanish in the curricula it develops, which would tend to homogenize Spanish in this country?

Dr. Jose A. Vazquez, chief of the National Institute of Education's Multicultural/Bilingual Division, believes bilingual programs must respect variations in dialect, and he is distressed by the attitudes of many Spanish-speaking educators. "As if discrimination from the English-speaking majority against speakers of Spanish were not enough of a handicap," he complains, "this country's Spanish speakers have developed partisan attitudes toward their particular dialects, bordering on chauvanism. Especially among practitioners in public bilingual schools, one encounters discriminatory practices against dialectical variations."

Dr. Vazquez believes that Spanish-speaking teachers must be taught to understand word variations in Mexican, Mexican American, Puerto Rican and Cuban forms of Spanish, and that Spanish texts must include different words for the same objects when the vernaculars vary. This is not what is being done under Title VII. Dr. Molina of USOE says, "I have told the 14 materials development centers funded by Title VII to use Mexican Spanish in the materials. You have to write materials in what is internationally accepted."

Another side of this issue concerns the version of English used in the English portion of bilingual education. The maintenance plan which the Center for Applied Linguistics drew up for San Francisco, for example, calls for "English language instruction which represents the varieties of English actually spoken and valued in the community." This refers not only to the regional standard for English, but to the English dialects within the minority groups as well. The plan requires local language surveys "to discover those varieties of English spoken by respected members of the major and minor language groups, especially where these may vary considerably from varieties of English spoken in other parts of the country."

As with the dispute over black English in the black community, not all members of the group would agree with this philosophy. Al Perez, associate counsel for the Mexican American Legal Defense and Education Fund, believes that a primary need is to correct the English pronunciation of Mexican American children. Perez, a bilingual education backer, says of the English part of such instruction, "We have a double problem of stage fright and having a very thick accent in English, and have all kinds of problems with the language. I would advocate very, very intense training in English from the time you're five until you're at least seven or eight years old–just English, English, English." He adds:

> I strongly support the right of any group to maintain its language and culture, and I have a strong desire to maintain my bilingualism in English and Spanish. I think that should be more of an ethnic group function than a governmental function. But what I'm saying is that, in terms of priorities, as a lawyer and a professional I've had to increase my mastery of English. I'm from the Brownsville, Texas, *barrio*, and many of us there never mastered the English language in high school . . . I don't think you should educate people there in a Tex-Mex dialect of English. You are educating people to deal with the larger society. I think it would be leading a young Chicano down a blind alley, a dead end street, if you try to teach him in a dialect that will not help him deal effectively with society at large.

Divisions within ethnic groups over bilingual education can reach intense levels. A dramatic illustration comes from Chicago, where a voluntary, state-funded bilingual program triggered a bitter battle in the Greek American community, the largest in the nation. Greek American parents opposing the bilingual program in Chicago's Lincoln Square neighborhood boycotted the local school for four days in October, 1973. Police had to break up a heated conflict among Greek Americans at a local school council meeting. Some Greek Americans ended up moving from the neighborhood.

"The strain became so tremendous that former friends and acquaintances found that getting together was uncomfortable and often abrasive," reports Martha S. Alexakos in the draft of a doctoral dissertation on the battle. "People tended to greet each other with stony silence or open insults, and in some cases children of former friends no longer played together." Nearly three years later the dispute was "still intense, though not on a day-to-day basis," according to H. Ned Seelye, Illinois director of bilingual-bicultural education.

The Chicago battle pitted second-generation and third-generation Greek Americans, whose children were not scheduled to be in the program, against newer arrivals. It also involved the local Greek Orthodox Church, St. Demetrios, the largest in the nation, which is across the street from the Lyman A. Budlong Elementary School where the bilingual program was begun. The Greek Orthodox Church, which ran underground schools during alien rule under the Ottoman Empire, has maintained the Greek language and culture for 400 years. It has a large stake in this role. Emmanuel Hatziemmanuel, education director of the Greek Orthodox Church for North and South America, says:

> We can't see our programs being replaced by bilingual programs. Our main objective is to maintain the Greek tongue and culture. We have 550 community churches, and each has either a parochial school or a day school or an afternoon school. In places where we do not have a school and where Greek children can attend a bilingual program–say, in Minneapolis–we don't mind having Greek classes. If the government can do this for us, fine.

Perhaps the most sensitive conflict for government in all calls for "cultural pluralism" is the long-standing argument over group rights and individual rights. Put another way, what is cultural "pluralism" to some is ethnic "conformity" to others. Harvard sociologist Orlando Patterson, for example, assails the "new ethnicity" on these and other grounds. "Pluralism is socially divisive," he says. "The whole pluralistic movement is conservative in its glorification of tradition and anti-American in its preference for conformity over individualism." Dr. Higham of Johns Hopkins cogently defines the group rights-individual rights conflict, and his analysis is worth quoting at some length because of the flaws he perceives on both sides:

> The democracy of integration is an equality of individuals; pluralist democracy an equality of groups. For the assimilationist the primary social unit and the locus of value is the individual. What counts is his right to define himself. He must therefore be free to secede from his ancestors. This is exactly what happens in the process of assimilation: individuals or families detach themselves one by one from their traditional communities. For pluralists, however, the persistence and vitality of the group comes first. Individuals can realize themselves, and become whole, only through the group that nourishes their being.

Higham believes that neither position, stated in these stark terms, is realistic. "Assimilationism falsely assumes that ethnic ties dissolve fairly easily in an open society," while "Pluralism makes the opposite mistake. It assumes a rigidity and fixity of group commitment which American life does not permit . . . All American ethnic groups perpetuate themselves, but none survives intact . . . This is so patently true that loud assertions of pluralism almost invariably betray fears of assimilation." He adds:

> In addition to being unrealistic, both integration and pluralism are morally objectionable. From the point of view of the individual, integration is an ethic of self-transformation–an Emersonian summons to 'shun father and mother and wife and brother when my genius calls me.' It teaches a rejection of one's origins and a contempt for those parts of the self that resist transformation. It sacrifices love and loyalty to autonomy and mastery, only to find those elusive goals dis-

> solving in a pervasive conformity . . . The liabilities of a pluralist ethic are equally severe. Whereas assimilation penalizes the less ambitious and successful groups and individuals, pluralism limits the more autonomous and adventurous. To young people fired by curiosity and equipped with a cosmopolitan education, the ethnic community can be intensely stultifying. It is likely to be suspicious, narrow-minded, riddled with prejudices. Pluralism adjures the young to realize themselves through the group to which they belong; but many have little sense of ethnic identity and in any case will not forego individual opportunity in the interest of ethnic separateness and cohesion. While assimilation sacrifices the group for the sake of the individual, pluralism would put the individual at the mercy of the group.

Dr. Higham's own proposal is for what he terms "pluralistic integration," a model in which no ethnic group "can have the support of the general community in strengthening its boundaries" but which respects ethnic nuclei as "enduring centers of social action." He is not sure whether government can find ways to limit its actions to the core of ethnic groups, but he would like to see this possibility explored. Clearly, once government does become involved, there are no easy answers to questions about effects within groups.

VI

Policy Alternatives: English and Achievement

This paper is premised on the belief that whatever policies are followed by the Congress, the Executive Branch, the courts or state and local officials, they should be based on realistic readings of the issues and of available evidence. Too often, many different and complex issues have been blurred together.

The dominant federal policy concerns have been the English language proficiency and achievement aspects of bilingual education. Students who have little or no command of English and who are falling badly behind in school are, by definition, educationally disadvantaged in terms of English and subject matter, and efforts to help them in these areas are compensatory. Advocates abhor words such as "compensatory" or "remedial" in describing bilingual education. They suggest that the words are being applied to the native language, to indicate that speaking Spanish or another tongue is a sign of an inferior culture and upbringing. Southern Methodist University's Dr. Gonzales, for example, considers the compensatory impulse that gave rise to the Bilingual Education Act the "one grave debilitating aspect" of the law. He says:

> In essence, what it suggested was that temporary use of the native language would help remediate or compensate for childhood rearing practices and experiences which were deemed inadequate in preparing the child for learning in a *regular* instruction program. The use of say, Spanish with Chicano children, was thus perceived as an *unfortunate necessity* rather than an opportunity for enrichment. The ultimate aim, of course, was to move children *out* of functional bilingualism and into monoglot instruction."

He is correct insofar as he suggests that bilingual policy is designed to compensate for an inadequate command of English. That is why eligible students have been defined as "limited English-speaking" under Title VII or as having "linguistic deficiencies" in English under the OCR policy upheld by the Supreme Court. It is not considered valuable in our society to have little or no command of English, and bilingual advocates repeatedly have expressed their desire for the students to learn the English language well. But there is no statement in federal policy to demean the native language. Only if it is assumed that it is a federal responsibility to finance and promote ethnic languages and cultures can the absence of such support be seen as demeaning. That clearly is a controversial assumption.

For policy judgments to be made, these issues must be considered one at a time. Indeed, *the most basic task before policymakers and educators is to clarify the policy's direction.* First, then, what does the evidence tell us about helping students in English and subject matter?

It need scarcely be said that research evidence often has been put to misleading uses in the political arena. The bilingual-bicultural issue is no exception. Consider the case of San Francisco. After the *Lau* decision, the school board appointed a task force of citizens from language minority groups to draft a plan that would satisfy the Supreme Court decision. The board also had contracted with the Center for Applied Linguistics to provide technical assistance, and the Center worked with the citizens' group. There was a problem, however, about what evidence would be cited in the plan. The citizens' group did not want the Center to list any studies which raised questions about the effectiveness of bilingual education.

"Our instructions from the task force were to give them positive instances," recalls Dr. Roger Shuy, a Georgetown University linguist who is also associate director of the Center. "We told them that in terms of reading, there wasn't much evidence to show that bilingual education helped. But they didn't want us to say anything like that. They had a political job to do."

Professor L. Ling-chi Wang, coordinator of Asian American studies at the University of California at Berkeley, was a member of both the San Francisco and OCR task forces. He is well aware of how little is known about bilingual education. He says that "available knowledge about the technique is very uncertain" and that "I have no illusions about the success of bilingual education." The plan developed for San Francisco, however, sought to instill some illusions in the court and others. Its opening "Rationale" section listed seven fragile studies which could be used to support bilingual education. As requested, no unfavorable studies were included. The listing was followed, however, by this caveat: "This survey has focused on projects which have shown (or have tried to show) that bilingual or vernacular education really works." Dr. Shuy says, "It was a concession getting that statement in to protect my integrity."

Many other misleading claims have been made about bilingual education. In introducing his version of what was to become the Bilingual Education Act of 1974, Senator Cranston said, "The Title VII program has proved its efficacy." The only proof he cited was that funds were going to more groups, a test of political, not educational, effectiveness. In a December, 1975, letter to President Ford, Fierro of *El Congreso* stated that the Title VII program was a "demonstrated success," though he too knows "there is evidence on both sides," almost all of it shaky.

Bilingual enthusiasts sometimes have misled parents of limited English-speaking students. In a 1976 handbook for parents, for example, the Illinois Advisory Committee to the U.S. Civil Rights Commission said, "Studies have shown that children do better in school when instruction is given in their native language while they learn a new language." It neglected to say that other studies do not show this. In its 1975 report supporting bilingual-bicultural education, a report which Staff Director John A. Buggs terms "highly speculative," the U.S. Civil Rights Commission itself acknowledged that "few reliable evaluation data are available." If the authority of "studies" is to be cited, it would seem that parents above all have a right to know about the uncertainty before deciding whether to enroll their children in bilingual programs.

Claims about transitional bilingual education, after all, are not new, and the technique itself is anything but a new idea. As Dr. Fishman notes, it has been used for centuries, "most particularly in Europe since the Reformation, wherever the expansion of educational opportunity (or obligation) was stymied by the fact that the official language of education was not always the mother tongue of students new to the educational system. In such circumstances, whether in early-modern France or Germany, in turns of the century or in the recent-day Yucatan, Manila or Moncton, the same claim has been advanced: start the learner off in the language he knows best." While there certainly have been some circumstances in which the

claimed benefits have been supported, Dr. Fishman adds, the available research indicates that:

> . . . on the whole, bilingual education is too frail a device, in and of itself, to significantly alter the learning experiences of the minority-mother-tongue-poor in general or their majority-language-learning-success in particular.

The research that has been available, much of it from abroad, is fragmentary, uncoordinated, in many instances or poor quality and, importantly, reflects different political and social contexts in different nations and settings. One 1975 research review by Patricia Lee Engle, for example, asked precisely the questions facing American policymakers: "Will a child learn to read more rapidly in his second language if he is first taught to read in his primary language?", and "Will the child achieve greater general knowledge of other subject matter areas in his second language if he is taught these subjects first in his native language?" She examined 24 studies in nations ranging from the Philippines to Mexico, Uganda to the United States, South Africa to Ireland. But the studies went both ways. "The 24 reports summarized varied in every conceivable way," she reported, "and most provided no substantial evidence as to which approach is better," learning first in the native language or in the second language.

Some bilingual education supporters believe that it is simply an "axiom" that it is best to teach first in the native tongue, and that the knowledge acquired can be transferred to English when that language is sufficiently learned. The most basic appeal of teaching first in the native tongue, in fact, is that it appears to make supreme common sense. It is a truism, after all, that students will not understand what they are being taught if they do not understand what they are being taught. But if this is axiomatic, why has the evidence not shown it to be so?

One answer is that this view is static, limited to a moment in time when the students indeed have little or no command of the second language. If they are taught English, that will not remain the case for too long, especially for very young children, who have a remarkable facility for acquiring new languages. Dr. Troike, who is in the axiomatic camp, remarks, "When I say it's axiomatic, clearly I'm talking about a time-bound situation. Once students pick up enough of a language so that they can begin to learn in that medium, they certainly do well in some cases."

The Engle review, which recognized the many flaws in the studies she examined, nonetheless drew two conclusions which bear on this point. First, she found, not surprisingly, that "the effectiveness of the program may increase with the number of years it is in operation" under either approach. Second, she concluded that "initial disadvantages and slower rates of progress appear to be neces-

sary for all bilingual children, whichever approach is used." In terms of ultimate achievement, then, it cannot be assumed that teaching first in the mother tongue is the more effective approach. The question is whether the concern is with short-term educational effects or with benefits over a number of years and, ultimately, over the student's entire school career.

Probably the most influential and carefully done language learning study was conducted at the St. Lambert school in Montreal in the context of Canada's bitterly divisive battle between its French-speaking minority and its English-speaking majority. Surprisingly, this study has been cited by many bilingual education advocates as supporting their cause when, in fact, it provides the strongest argument against a need to teach students first in their mother tongue. The St. Lambert experiment was initiated by middle-class, English-speaking parents eager to improve relations with French speakers. Beginning in kindergarten, their children were taught subject matter entirely in French, a language they did not know at all, although the students at first could use English to communicate with the teacher. English also was later introduced as a separate subject. The results were remarkable: The students learned as well in French as their English-speaking peers did in English, and they also became near-native speakers of French. In addition, they learned the English language as well as those being taught in English. The McGill University researchers who conducted the experiment reported:

> After five years, we are satisfied that the experimental program has resulted in no native language or subject matter (i.e., arithmetic) deficit or retardation of any sort, nor is there any cognitive retardation attributable to participation in the program . . . During the same period of time and with no apparent personal or academic cost, the children have developed a competence in reading, writing, speaking and understanding French that English pupils following a traditional French-as-a-Second-Language program for the same number of years never could match.

This French "immersion" technique has been repeated in three other programs involving working-class, English-speaking students in the Montreal area. They essentially have shown the same results. Similar programs have sprouted across Canada, at last count numbering 53 and still multiplying.

In this country, the St. Lambert experiment has been successfully duplicated at the El Marino School in Culver City, California, where English-speaking students learned in Spanish, and a French immersion program for English speakers has comp-

leted its third year at Four Corners Elementary School in the Washington, D.C., suburb of Silver Spring, Maryland. The Four Corners effort began with 29 students in a mixed group of first, second and third graders who learned all basic skills in French; physical education, art and music were taught in English, and the students now receive one period a day of instruction in English as a separate subject. The Four Corners program has not been a controlled experiment, but the school's principal, Gabriel Jacobs, reports:

> In subject matter and in English, as measured by the Iowa Basic Skills test and other methods, the students are doing as well or better than those learning exclusively in English. In French, as measured by tests for French speakers in Quebec and tests for French immersion students in Canada generally, the students appear on paper to be as fluent in the language as French speakers, though many probably wouldn't have the same natural ability or range in the language as a student growing up in a primarily French environment.

These immersion programs and other studies have made it clear that the language barrier *per se* cannot account for the school difficulties of limited English-speaking students. Numerous researchers have made this point, though their comments imply different degrees of importance attached to the language factor. Development Associates, Inc., a leading Mexican American and Puerto Rican consulting firm, says, "Language, it seems, is not in and of itself sufficient explanation for the lower achievement of the Spanish-cultured students." Dr. Oller of the University of New Mexico remarks, "There is considerable data that suggest the language variety variable may be insignificant to cognitive growth over the long haul." Dr. Christina Bratt Paulston, another prominent linguist at the University of Pittsburgh, states, "The only conclusion must be that we ask the wrong questions and that language is not the causal variable in successful school achievement."

What, then, are the "right" questions and the other factors involved? One obvious answer is that limited English-speaking students usually are poor and come to school with the same well-documented disadvantages as poor English speakers. They will have as difficult a time learning, say, Spanish and in Spanish as poor English speakers will have learning English and in English. Dr. Paulston has stressed socioeconomic causes, stating that "social class is the one overruling factor" in the studies she examined.

A striking illustration of the class effect comes from a Miami bilingual effort that once drew considerable attention. That program, at the Coral Way Elementary School near Miami's "Little Havana," began in 1963. About half the students then were children of middle-class Cubans who had fled from Castro, and the other half were middle-class whites. Both groups received half a day's instruction in Spanish and half a day in English in an effort that many regarded as a model for

bilingual instruction.

The middle-class students, however, have since left the neighborhood, which has become heavily populated with poorer Latino families, and the school now is about 90 percent Hispanic American. Gretchen DiMartino, principal of Coral Way, confirms reports that achievement has declined in the process, "but we have not lost ground so badly on test scores that we have to give up the ship and not operate anymore. We have maintained a comparable position with nearby monolingual schools [teaching only in English] with about the same percentages of Latin students from roughly similar socioeconomic levels." Clearly, the more important influence on student achievement at Coral Way has been the background of the students, rather than whether bilingual education or instruction solely in English has been provided.

The class effect is by no means the only other explanation for the students' difficulties. Additional social and psychological factors have been at work. One is the sheer discrimination and humiliation that often have been severely inflicted against such students. The degree to which this discrimination has been based on class, race or culture is impossible to say, but there is no doubt that it has been widespread. This has been particularly true for Chicano children in the Southwest, who were long segregated in "Mexican" schools or "Mexican rooms" and punished for speaking Spanish anywhere around school. As late as 1970, Charles E. Silberman reported, "In a South Texas school, children are forced to kneel in the playground and beg forgiveness if they are caught talking to each other in Spanish; some teachers require students using the forbidden language to kneel before the entire class." In the early 1970s, the U.S. Civil Rights Commission reported comments from students who said that getting caught speaking Spanish meant they were fined, forced to stand on a special black square or made to write "I must not speak Spanish." This may help explain why Hispanic Americans speak of the melting pot today in harsh terms which other Americans might not recognize. Many leaders of the bilingual movement suffered such humiliations as children.

In a separate study, the Commission uncovered another form of discrimination. Mexican American students were receiving less encouragement and praise in school than their white, English-speaking classmates. But it chiefly was Chicano teachers who were discriminating against Chicano children in this way, the study found, and the Commission suggested that "Mexican American teachers, as well as Anglo teachers, need training in dealing with the two groups."

More sensitive teachers surely can make a difference in the lives of limited English-speaking students. Consider the case of Lupe Castillo of San Francisco, whose mother had to work in canneries when her children were growing up:

I was labeled mentally retarded in kindergarten. I spoke Spanish at

> home, and I was in an almost all-Anglo elementary school where the people were not used to dark-skinned pupils. They couldn't understand what I was saying, and I couldn't understand what they were saying. I was humiliated in first grade when I had to sit in a corner with a dunce cap on. I became very angry and struck back. I broke windows across the street from school. I went into the teachers' room and smashed ink bottles against the wall and overturned machines. In the bathroom, I beat up little girls and stuck soap suds in their faces. By the time I was supposed to be in the fifth grade, I was in the third.

What changed her school life, she recalls, was her teacher in that third grade class.

> Her name was Miss Cook. I was always trying to sit in the front of the class, always trying to get attention. I kept raising my hand to do errands. It was my way of crying out for help. Well, Miss Cook made me the monitor. She let me help her cut out posters, which was one way I learned more English. She made me feel special. By the time I got to sixth grade–I skipped–I had caught up with my class, and I became an honors student and was put into an accelerated class.

Lupe Castillo, who is now "over 35," went on to San Francisco Junior College and San Francisco State University and became a teacher herself, active in bilingual education. She still carries bitter memories of her early school years. Even with Miss Cook, she recalls:

> I turned my back on my mother – when she would pick me up at school, when she would speak Spanish to me. I turned my back on our heritage and our language. I didn't even realize then that I was a Mexican American.

The case of one limited English-speaking pupil's anguish and of one caring teacher's help does not mean, of course, that the tale would have a similar, largely successful ending for all students in the same circumstances. But there is no question that teacher discrimination has hurt many of these students' achievement, to say nothing of violating their rights, and that fostering greater sensitivity among educators is of considerable importance, regardless of which language is used in the classroom. Development Associates has suggested, "It may be that better prepared and more sensitive teachers who do not have low expectations and negative stereotyped views of the children they serve may produce results better than or equal to those produced by bilingual-bicultural education programs."

It has become generally accepted, then, that both poverty and discrimination have been powerful deterrants to the learning of limited English-speaking students. The U.S. Civil Rights Commission sums up:

When discrimination and negative socioeconomic conditions do not exist, children are more likely to show no linguistic or cognitive deficit when being instructed in the medium of a second language.

Since it is not within the school's power to alter the socioeconomic background of students, this logically argues for educators to strive to eliminate discrimination against limited English-speaking pupils, an obviously desirable goal in itself. But the Civil Rights Commission and others do not stop there. They enter a more sensitive realm: the psychology of language and ethnicity. Here the theory is that the very absence of bilingual-bicultural instruction is harmful to these students, emotionally and educationally. The Commission sees this omission as meaning that the child's language and culture are positively "rejected" by the school. The English curriculum in itself has "negative effects . . . on minority children's attitudes toward themselves." The Commission's view, as with all affirmative action efforts, rests in good part on the idea of compensating for past injustices. Its analysis is particularly aimed at groups "that have been the target of social, economic and political discrimination. Bilingual-bicultural education is appropriate for these groups because it gives the minority language and culture the same prestige in the curriculum as English."

It may well be that some students would benefit educationally from reinforcement of their ethnic identities in school. This is unclear. The AIR interim report, it will be recalled, found both Title VII and non-Title VII classrooms where student attitudes toward school showed unusually large improvement—and these were not related to other classrooms where unusually large achievement gains showed up. The classrooms involved were in a relatively small subsample, and no general conclusions can be drawn from this. But the evidence does at least make it clear that reinforcing ethnic identities through language and culture is not necessary to increase all student achievement. Dr. Cardenas, for example, says that:

> . . . we have immigrant kids coming in from Mexico at the third, fourth, fifth, sixth grade levels who do not speak a word of English. They come into the South Texas schools and, though they have a hard time for a few weeks, in six weeks they'll outperform all of the native-born Mexican Americans in English as well as Spanish . . . The reason is that language itself is not the problem. It is the language coupled with the perception that the [native-born Mexican American] children have of self associated with the language.

The immigrant students need no ethnic reinforcement. Dr. Cardenas suggests that, in this case, bilingual education be used "to facilitate the transition into the

English language. Why give them a hard time for six weeks?"

Orfield raises similar questions about Asian Americans:

> By any reasonable standard, most Asian American children were successful. A comparative study in the spring of 1973 in the San Francisco district found, for example, that Asian American children had more positive self-concepts than any other group, including Anglos. They were seen in very positive terms by their teachers and were less inclined to desire friendships outside their group than other students. Sixth grade reading achievement scores found Asian children at the 64th percentile, contrasting to the 26th percentile for blacks and 32nd percentile for Latinos."

If one judges by the research available about Mexican American students, it is not clear whether, as a rule, they have a low sense of self-esteem to begin with. In 1972, Norma G. Hernandez of the University of Texas at El Paso stated, "A search of the literature reveals that the question, 'Does the Mexican American student have a lower self-concept than other students?' remains largely unanswered. Several studies report that there is no evidence to substantiate the claim that the Mexican American student has a negative self-concept," while others "found the self-concepts of Mexican American children significantly lower than those of white children . . ." Some studies claim that disadvantaged children have better self-concepts than advantaged children, and that economically deprived children learn to assume greater responsibility and demonstrate independence at an earlier age, she added. An important element in self-esteem, of course, is success or failure in school itself.

A number of scholars nevertheless have stressed psychological aspects of second language learning. This factor is evident, for example, in the special immersion programs in Canada and the United States. These programs, it must be remembered, were for speakers of the dominant English language who chose to learn in another language for most of the school day. English was the language of the rest of the school, the community and the nation. The underlying thrust of these efforts essentially has been similar to the goals of traditional foreign language programs—to give the students access to other worlds and their cultures, to add an extra dimension to their lives. In short, these programs suggest that researchers have at least found a highly promising way to teach second languages to many English-speaking students in this country. This fact has received remarkably little attention, especially in light of the federal government's concern with language learning dating back to the National Defense Education Act of 1958, and of the value which societies in general have placed on fluency in more than one language.

But all this differs greatly from the situation of language minority students

who are required to learn in the unfamiliar language of the majority society and adapt to another way of life. This emotional experience can be particularly difficult for adults, and it also can be hard for some children. It calls for sensitive treatment by teachers, though in many cases the problem is other students, not uncommonly from the same ethnic group, who ridicule the language minority pupils.

This does not mean, however, that a special English language immersion approach cannot be sensitively applied to speakers of other languages, with the native tongues introduced at, say, the second grade so the school can build on the pupils' knowledge of those languages. Andrew D. Cohen, who conducted the Culver City immersion research, and Merrill D. Swain of the Ontario Institute for Studies in Education have indicated how this might be carefully done, stating that 9 out of 17 characteristics of special immersion programs have been missing in American school efforts. Russell N. Campbell of the University of California at Los Angeles also has suggested that English language immersion should be tried for some Spanish-speaking students.

This approach—far different from simply putting students in a "sink or swim" situation—would not give the native language equal prestige with English in the curriculum. Literacy in the native language could be acquired and maintained, though, through use of that language in one or two classes for the rest of a student's school career. Those who want to strenuously protect ethnic language communities presumably would resist that approach, which would view the native tongue as a second language in the school setting. But if the question is how to teach English and subject matter while also building on the student's native language ability, the evidence indicates that the special immersion approach is at least as promising as transitional bilingual education.

Overall, then, the existing evidence, as interpreted by scholars both inside and outside the bilingual-bicultural movement, makes clear that the language factor itself can neither account for nor solve the educational difficulties of these students. The most basic question facing Congress, OCR and the courts is what approaches can provide the greatest degree of help.

If Title VII had concentrated research on this question, some important answers might have emerged by now. But, instead, the program has provided discretionary grants to hundreds of local projects in the hope that, at some point, it would bump into *something*. Most of the local evaluations have been of little or no use. In 1976, Title VII's Dr. Molina simply destroyed evaluations from projects begun seven years earlier."They weren't that valuable," he says. Dr. Troike adds: "I've looked at literally reams of evaluations, and most of them weren't worth the

paper they were written on." Dr. Molina has since tightened the local evaluation aspect of USOE regulations covering grant applications. Regulations adopted in June, 1976, state, "No application which fails to include the elements of an evaluation design . . . will be approved . . ."

The one independent attempt to identify model programs nationally, done by AIR under contract to USOE, began by considering 96 projects financed under Title VII and four other federal programs. But again, as with local evaluations in many federal education programs, most were of no use. AIR ended up recommending seven projects to USOE. Of these, four—in Alice, Corpus Christi and Houston, Texas, and Madawaska, Maine—were approved for dissemination to provide ideas for other school districts.

Thus, as previously stated, after nearly nine years and more than half a billion dollars, there is little guidance about the best ways to provide transitional bilingual education, little evidence about whether it is educationally effective at all, an inadequate supply of teachers and curricula even if it were, and no examination of other approaches which may be equally or more effective. In addition, both Title VII and OCR definitions of eligible students are broad enough to include many children who are proficient in English, and such children have been judged by teachers to make up a large majority in many Title VII classrooms. All this suggests the alternatives available to policymakers.

First, for all three branches of government, would be *tight definitions of eligible children to insure that limited resources reach those who are most in need.* This would require a generally accepted definition of the degree of English fluency needed to learn in English. It also would require development of written and oral language dominance tests to determine whether a student is better equipped to learn in the native language or in English. These tests could be developed under Title VII. Much, in fact, depends on what is done under that statute.

THE BILINGUAL EDUCATION ACT

If, as Rand and others have suggested, Title VII was used to force school districts to stop neglecting or abusing limited English-speaking students, the *Lau* decision ended that need. Schools now *must* do something special for these pupils. But in the absence of evidence about what can best help which students, nobody can say with confidence what should be done. Title VII is the key to finding that evidence. Logic suggests—and, indeed, USOE has proposed— that what is called for

is seriously controlled "planned variation" research. The object of such research is not to discover whether a single technique "works," but to compare the value of different approaches for different children. The evidence indicates that at least three approaches deserve testing.

1. First, obviously, would be controlled studies of transitional bilingual education with different groups, different combinations of students, different age levels and other variations deemed appropriate by participating schools, parents, linguists and education researchers. Naturally, these would have to include qualified teachers and well-developed curricula that meet local needs and desires.

2. The evidence makes clear that sensitively executed English immersion efforts also should be tested, with the native language introduced in the early elementary years. An immersion program would require a bilingual teacher, at least in kindergarten, so students could ask questions in their own language and not be cut off from communication. It would also require, among other things, temporary separation in basic skills classes so that language minority students were not forced to compete in English with native English speakers. This partial separation would end, say, after the second grade for students entering the program in kindergarten.

Testing this approach would have the additional advantage of allowing some measure of the effects which sensitive teachers in themselves might have on the students, both educationally and emotionally. This approach also would require voluntary participation by parents, another of the 17 factors cited by Cohen and Swain in successful immersion programs.

There may also be good reason to include a simultaneous and voluntary immersion program for English speakers, particularly if they are learning in the language of the minority students. Many observers note that discriminatory attitudes by majority students are central to the entire issue, and they therefore stress the importance of cultivating appreciation and respect for the minority language and culture in the dominant society. Staff Director Buggs of the U.S. Civil Rights Commission, for example, says, "I think it is as important, if not more important, that English speakers have a knowledge of the language and culture of the minority." An immersion program for majority students also would provide equal educational opportunity for English speakers to learn a second language. Ideally, if two such immersion programs were conducted at the same school, both groups of students could emerge from such classes in about the third grade and learn together chiefly in English. Instruction in the non-English language could then be provided for both groups together for one or two periods a day, as deemed appropriate by participating parents, local educators and the general community.

3. Third would be the approach long proposed by Dr. Cardenas–tailoring a curriculum to the special lifestyles of the students, reflecting their language, culture, class, and race. This would be based on his theory that the chief problems in educating these students are the incompatibilities between students and the curriculum. Considerable sentiment in the bilingual movement has centered on this and related theories, and the ideas deserve testing to judge the effects on achievement and English skills. However, this experiment would not be conducted as a maintenance program, an entirely different matter from the question under consideration here.

A further word is in order on the question of social science research. Prominent scholars themselves have been questioning the value of research in guiding policymakers. David K. Cohen of Harvard and Janet Weiss of the Huron Institute, for example, state that "for the most part, the improvement of research on social policy does not lead to greater clarity about what to think or what to do. Instead, it usually tends to produce a greater sense of complexity." Henry Aaron, now Assistant Secretary of HEW for Planning and Evaluation, has remarked that results of educational research "are likely to be biased toward insignificance. Furthermore, the confidence that can be placed in them is minimal. Therefore, the most important question policymakers must address is *not* how to extract the 'truth' from the research social scientists have provided, but rather how to formulate policy with the little these scientists have given them to go on."

Both comments recognize the immense variety of factors affecting education and the serious limits on the ability of researchers to say that a program concentrating on one factor will make "the" difference. Hopefully, this paper has underlined this point by emphasizing that various language techniques aimed at students with English difficulties cannot be expected to solve their educational problems, and also by stressing the need for comparative research.

There is, however, another side to this coin: Research that does show the effectiveness of an educational technique sometimes is ignored by policymakers. That is the case with language learning research. There is considerable evidence of the effectiveness of special immersion programs, at a minimum for teaching second languages to many English speakers, but no policy is sponsoring such programs for students across the country. Although researchers also have indicated that this technique could be applied, experimentally and sensitively, to language minority students, this, too, has not been done. In short, while research often cannot prove that a politically desired policy is also an effective one, important research sometimes is neglected because it may appear to go against the political grain.

Finally, the serious shortages of qualified teachers and adequate curricula in existing bilingual projects–plus the clear prospect that many more bilingual pro-

grams of some kind will be begun—suggest that *more funds should be concentrated on teacher training and curricula.* USOE has suggested one way to resolve the issue of direct federal involvement in sensitive curriculum issues. In a 1974 study of projects covering Pacific, Asian and European languages other than Spanish, USOE says, local staff "reported that the unique dialects or other linguistic variations, cultural considerations, and curriculum needs of their sites required that materials development be an individual project effort." Thus, USOE states, there is a conflict between the need expressed for federal curriculum help and the desire for locally tailored content. "Reconciliation of this contradiction seems to lie in the fact that the sharing of materials produced by other projects appears to have, as its prime benefit, the spreading of new ideas, concepts and techniques rather than the specific materials themselves." Thus, the federal role could be limited to disseminating ideas and locally developed materials and providing funds for adaptation to others' needs and desires.

For Title VII, then, at least five alternative policies grow out of the evidence:

1. A tighter definition of eligible children to ensure that students most in need are being reached.

2. Planned variation research to determine which techniques work best for different students.

3. A broadening of techniques tested to include special language immersion and the Cardenas model.

4. Increased funding for teacher training.

5. A federal curriculum role that concentrates on disseminating ideas and providing funds to local projects for adaptation to special needs and desires.

OCR AND THE COURTS

OCR and the courts essentially are in the same position of not having reliable evidence about which techniques would provide the most educational opportunity to different pupils. In addition, OCR has a limited staff to review compliance with *Lau*, and the courts have been wary of becoming involved in curriculum decisions. All this suggests similar alternatives for each of them.

One would be to *require affected school districts to offer a variety of approaches and allow individual parents to choose from among them.* Parents and their children, after all, are the ones affected. Until there is reliable evidence about educational effects, individual parent choice would appear to provide a larger element of fairness than imposition of one technique or another by government. The

options offered would have to include assessments of locally available resources to meet each choice. Experience shows that poorly implemented bilingual programs, like badly implemented programs of any kind, can provide a poorer quality education than a traditional school program. In addition, the alternative approaches would have to be carefully explained to the parents.

Four basic alternatives for OCR and the courts, then, are:

1. A tightened method of identifying pupils to be served.
2. Individual parent choice in the absence of reliable evidence.
3. A listing of resources available to meet each option.
4. Careful explanations of the alternatives being offered.

VII

Policy Alternatives: The Ethnic Language and Culture

The picture changes sharply if language and cultural maintenance programs are the goal. In this case, limited resources would not be concentrated on children who cannot function effectively in English. The federal government would assume a responsibility to maintain other languages and cultures regardless of a student's degree of fluency in English.

Going in this direction clearly raises many issues, all of which deserve extensive and careful debate. Unfortunately, the government has been proceeding with relatively little debate, and the general public has scarcely known anything about what was being done. Analyzing the 1974 renewal of the Title VII authorization, for example, Dr. Schneider found that "public opinion had a minimal influence on the legislative outcome. The general public's awareness of the legislation's development also appears negligible. The major issues in dispute were debated in then-secret executive sessions of the Senate committee and ultimately resolved behind the closed doors of the Conference." The same can be said for OCR's "Lau Remedies." They were written in private by supporters of bilingual-bicultural education.

Many questions need debating. First, bilingual-bicultural advocates would have to be more specific about what language "maintenance" means. Among the many reasons given for such programs, advocates have argued that it makes no sense to ignore the native language abilities of these children once they learn English – and then require them in later grades to study language as a subject. This is an important argument. But if developing and maintaining literacy in the native tongue is the objective, that would not require "equal prestige" for the native language in the curriculum. It could be accomplished, as previously stated, by continuing to teach these students one or two classes in the native tongue for the rest of their school careers. Moreover, any federal funds needed for this purpose, as well as for second-language "immersion" programs for English-speaking children, could be legislated separately or even be provided under the National Defense Education Act if that statute should be extended again.

This approach would *define maintenance programs as a way of sustaining and building valuable national language resources, opening other worlds to all.* It is the one "maintenance" approach which would raise no serious social or political issues. It also would be administratively feasible, and it would not divert any Title VII funds from children who cannot learn in English.

While many bilingual backers have cited maintenance programs as a way to build language resources, they generally have not been content with that idea as the goal of such programs. Rather, they have emphasized their views of language "pluralism" and cultural "democracy," believing that Washington should finance and promote ethnic identities through more extensive use of the native language and culture. They want programs which – as the OCR task force members put it in the "Lau Remedies" – produce students "who can function, totally, in both languages and cultures." This raises the obvious second question: Why is this the federal role? Debate on this question would have to delve into complex issues of historical justice, educational beliefs and cultural relativism.

On historical justice issues, practically every group can claim different degrees of injustices suffered in the past and present, and it would be impossible to examine them all here. Conquered American Indian nations and descendants of blacks who were shipped to this country in chains, for example, obviously have higher claims than others. The original Mexican Americans also were a conquered people, though there is more ambiguity about this claim. Joan W. Moore observes in *Mexican Americans*, for example, that in California:

> . . . most of the resident Mexican population approved of the idea of annexation by the United States. Mexico was weak; there were endless petty quarrels with Mexican officials; there were serious troubles with the Indians in southern California but no help from Mexico and the ranchers were long accustomed to trade with the United States. Thus

the "Bear Flag" rebellion of 1846 was welcomed, as was the succeeding occupation by U.S. troops.

Leaders of the bilingual-bicultural movement and Mexican Americans who rely on Spanish today, at any rate, generally are not descendants of the original Mexican settlers; they and their forebears came here largely for economic opportunity or to escape the Mexican revolution. A similar ambiguity holds for Puerto Ricans. They, too, are clearly "involuntary" Americans, but they are not involuntarily on the mainland. They have come, like millions of others before them, in search of economic opportunity for themselves and their children.

The debate obviously would have to include those who were neither conquered nor shipped to this country as slaves, but who surely have suffered from discrimination in American society. This discrimination, of course, has not necessarily hurt the school achievement of children in these groups. In 1973 testimony before the Senate Education Subcommittee, for example, Professor Wang of Berkeley said:

> The Asians, and particularly the Chinese and the Japanese, have been singled out as the most successful group in this country, and yet I do not think you realize how much we have had to sacrifice for some of us to be in that position, sacrifice our own heritage, our own history, in fact including our own self-respect, because we had to conform with everything that is demanded of us. We are people who are completely without any self-respect in terms of our cultural heritage.

Is the federal government responsible for maintaining the ethnic languages and cultures of exceedingly successful groups that have suffered from discrimination? Professor Wang does not consider the possibility that, as Dr. Fishman found, most members of ethnic groups themselves have not been committed to maintaining their ethnic languages and cultures once they have moved into the economic mainstream; he blames all on the society. Is that an accurate reading of Asian American history? Does Professor Wang speak for all Asian Americans when he says that they are "people who are completely without any self-respect in terms of our cultural heritage"? Have Chinese Americans and Japanese Americans not maintained their own languages, cultures and communities? Should the federal government encourage members of Asian American groups to conform to what Professor Wang wants them to conform to? Or should individuals be free to make choices without Washington intervening one way or the other?

What of the Catholics or the Jews, the Irish Americans, Italian Americans, German Americans? The anti-German waves surrounding the two World Wars are widely regarded as having dealt a blow to German American culture from which it

never recovered. Is the federal government therefore responsible for reviving or reinforcing the German language and culture in this country? If not, are the lines dividing the groups which do and do not deserve federal subsidies based more on race or class than on language or culture? Or should Washington reinforce the ethnic identities of all people, an expensive proposition as well as a philosophically controversial one? What about the many people who have multiple ancestries? Would they be penalized because their parents or grandparents or great-grandparents intermarried? These are some of the historical justice issues which would have to be addressed.

Many advocates believe that language and cultural maintenance programs would help improve the general academic performance of children from language and racial minority groups. This view relies on psychological effects, on making the student feel proud and accepted and therefore more eager to learn. This is not so much a theory but, as Dr. Fishman points out, more an article of faith long advanced by minority groups. The belief, as he states it, is:

> A minority student who is confident and recognized in his more intimate primary group membership relates more positively both to school and to society (both of which are majority dominated) and, as a result, profits more from schooling. There is hardly any research evidence pertaining to such claims in conjunction with bilingual education, although the view itself is a long and well established one, particularly in the context of cultural pluralism and minority rights. In this context, however, it is primarily an article of faith, a moral and ethical position, a basic social right, and, as such, not likely to benefit seriously from, or to be much subjected to, objective and empirical research.

Many bilingual-bicultural believers want the federal government to accept this article of faith, to finance language and cultural maintenance programs and determine later whether their beliefs about educational effects were justified or not. Joe J. Bernal of the Intercultural Development Research Association, for example, urges that language maintenance models "be developed and funded. Empirical data could then be collected to prove the advantages and disadvantages" of this approach.

Any serious educational test of maintenance programs obviously would have to follow students from the time they enter bilingual-bicultural programs through high school, and carefully isolate psychological effects from the multitude of other influences on student achievement over perhaps 10 years. They would also have to be done with full knowledge that, at this point, serious research has not been conducted on *transitional* bilingual programs, and that what evidence there is does not yet support the hoped-for psychological benefits of

those efforts or show that use of the native language is necessary to make a student feel pride and acceptance. If such maintenance programs were to be justified on educational grounds at present, they would have to be debated as an article of faith and not on the basis of substantiated educational benefits.

Some advocates do not necessarily rely on claims of historical justice or on beliefs about general educational benefits. They want Washington to finance language and cultural "pluralism" in the public schools in large part for its own sake, either to provide "enrichment" or to help protect minority languages and cultures from erosion. This is particularly a view of anthropologists, linguists and other scholars. Such scholars, of course, are devoted to building greater appreciation of other languages and cultures and long have emphasized that, in themselves, all languages and cultures are equal.

Typically, Dr. Troike of the Center for Applied Linguistics, an anthropologist, and Dr. Muriel Saville-Troike, a Georgetown University linguist and his wife, state in *A Handbook of Bilingual Education:* "No dialect is inherently better or more adequate or more logical than another, just as no language is inherently superior to another." In a related vein, linguist Einar Haugen of Harvard remarks in an essay entitled "The Curse of Babel": "Those of us who love languages and have devoted our lives to learning and teaching them, and who find in language a source of novel delights and subtle experience, find it hard to put ourselves in the right frame of mind to understand the conception of language diversity as a curse." He, too, repeats the familiar scholarly theme: "The first step to applying our best scientific knowledge to language problems is to realize that no man's speech is inferior, only different."

These scholars generally have been striving to fight demeaning attitudes toward people because they speak a different language or dialect or follow different customs and values. They rightly attack anyone who looks down on others as less intelligent or less "civilized" because of such differences. Both in foreign and domestic affairs, they insist, people must be seen in the context of the culture which nourished them.

Building greater cross-cultural respect, however, is not the same things as government maintenance of ethnic languages and cultures alongside English in the public schools or in the wider community. While all languages and dialects may be "inherently" equal in the scholarly sense, they certainly are not equal in the political, economic or social sense, whether one is referring to English dialects among English speakers, Spanish vernaculars among Spanish speakers, or minority languages in the general society. Can scholarly views of cultural relativism be applied in these spheres without encountering strong resistance? Are scholarly desires to preserve native languages and cultures a basis for national policy? Do scholars – or, for that matter, ethnic leaders who are highly articulate in English – reflect the views of all or most poor parents of language minority children when

they place equal weight on maintaining the mother tongue? Would maintenance of the native language, as Dr. Milan of Columbia University found in programs he visited in the Northeast, be at the expense of a good quality education and the English skills necessary for the children to compete in the job market?

It is also worth pondering a question which anthropologist Margaret Mead posed in the mid-1950's after studying a southwest Pacific people who had changed rapidly and happily: "How often has our Western attempt to preserve native dress, old customs, different styles of architecture, to respect native laws and customs, been only a thin disguise over an unwillingness to admit a people, newly entering into our way of life, to full participation in the culture which we claim to value so highly?"

Ultimately, however, the debate would have to return to the overriding question: Is *the national government* responsible for financing and promoting attachments to ethnic languages and cultures? Would federal intervention result in more harmony or more discord in American society? Would it lead to better or worse relations between groups? Better or worse relations *within* groups? More democracy or less? Greater separation or greater integration? What is the federal role?

Jose A. Cardenas

Response I

Definition and Rationale of Bilingual Education

Bilingual education has been defined as education conducted in two languages. This does little to clarify the rationale of current bilingual education efforts in this country. A much better definition of these efforts would be "the utilization of a child's native language as a medium of instruction while English is being acquired as a second language."

The basic rationale is a response to the problems encountered by school systems in the education of children of limited English-speaking ability. Though the problem has been with us for well over a century, no effective solution has been identified. For many years common educational practice consisted of placement of children of limited English-speaking ability in a regular English language program, very similar to the immersion concept described by Mr. Epstein. This practice proved remarkably unsuccessful, as shown by the educational characteristics of language minority children throughout the country.

There are few insights as to the nature of this failure, especially since there was little interest in the education of language minority children or in the reasons why traditional educational practices were so remarkably unsuccessful. Neither the federal government, nor institutions of higher education, nor education professionals were motivated to conduct any extensive study into reasons for the massive

failure of our schools in dealing with the education of language minority children. Studies in the mid-1960s did substantiate the failure of traditional programs, as evidenced by dropouts, retention in grades, underachievement, assignment to classes for the mentally retarded and disciplinary measures used by schools.

In the 1960s, an alternative approach surfaced which was used extensively in the education of language minority children. This consisted of a highly structured approach to the teaching of English as a second language. This alternative was deemed unsuccessful in that it did little to eliminate the academic retardation of language minority children. In general, the acquisition of English as a second language led to a discontinuity in the child's cognitive development, with the acquisition of content material in all subject areas being delayed until the child had a sufficient mastery of the English language to cope with basic skill acquisition and content learning.

Another alternative was developed in the last decade which incorporated the previously given definition of bilingual education. The rationale for this approach was that as English was being learned as a second language, the child could proceed with cognitive development and skill acquisition in his native language. Thus, the rationale of a bilingual education program consisted of an English as a second language (ESL) program with initial instruction being conducted in the native language until the learner had sufficient mastery of the English language and a transition could be made from the native language to English.

Since the acquisition of languages other than English was a desirable outcome of education – as evidenced by curriculum offerings in secondary schools and institutions of higher education as well as in legislation and in graduation and college entrance requirements – it was suggested that native skills in languages other than English be maintained and developed in order to avoid the loss of language facility and the need for subsequent reintroduction as a foreign language several years later.

The failure of prior efforts in the education of language minority children may be attributed largely to the negative perceptions of speakers of languages other than English and the accompanying rejection of language minority children through the valuing expressed by the curriculum of the school.

Early efforts in bilingual education were viewed positively by minority populations in that they would eliminate the academic retardation of children of limited English-speaking ability evidenced in traditional and ESL programs; avoid the traumatic experience of language rejection; and maintain and perhaps develop a language resource already held by the student.

The Current Status of Bilingual Education

A. Classification of Programs

In spite of the implementation of large numbers of bilingual education programs through federal, state and local efforts, current programs have made little

change in the educational methodology used in teaching children of limited English-speaking ability. Despite analyses and estimates made by various organizations, current bilingual education programs may be described as follows:

(1) The vast majority are really ESL programs which contain structured activities for the acquisition of English as a second language and which may contain some communication in the language other than English.

(2) There is a limited number of transitional bilingual education programs in which an attempt is made to conduct language activities in a language other than English while English is being learned as a second language. I have never encountered a single bilingual education program in which all subject matter and skill development activities are conducted in a language other than English, thereby meeting even the most limited definition and rationale of a bilingual education program.

(3) There is an insignificant number of maintenance programs in which the continued development of native language proficiency is nurtured or expanded.

(4) Many bilingual education programs are viewed by the language minorities as token programs responding to legislation, litigation, and consumer demand or program popularity.

B. Characteristics of Programs

(1) There is an extensive variety of untested organizational patterns in current bilingual education programs. These patterns reflect the use of native languages in limited subject areas. Native language utilization may be found in one or more of the following subjects: reading, arithmetic, culture, social studies, natural science, art, and music. Some students are assigned to full-time classes, others are traded, and still others are "pulled out" for bilingual instruction.

(2) The time devoted to the native language in bilingual education programs may range from five minutes a day, three times a week, to a majority of the school day.

(3) In general, bilingual education programs have failed to identify, recruit, employ or train the staff necessary to implement a bilingual education program. In one major city with an extensive enrollment in bilingual education programs, 92 percent of the staff in the programs were monolingual English speakers. In another community, teachers were certified as bilingual with a minimum proficiency of 750 words in the language other than English.

(4) There is no available collection of curriculum materials which afford compatibility between the instructional program and a child speaking a language other than English. Though there is a scattering of bilingual materials in almost every subject and at almost every elementary grade level, there is no complete set which includes every subject matter area and extends over several years.

(5) There has been no attempt to develop educational methodologies consistent with the characteristics of languages other than English. For example, phonetic inconsistencies in the English language have led to a rejection of phonetic approaches in the teaching of reading in English. Such rejection has been translated and has become a part of teaching methodologies in reading by English-trained teachers in spite of phonetic consistencies in languages other than English.

(6) There is an absence of support materials for an instructional program in a language other than English. Neither resource books nor audio-visual aids are extensively available.

(7) Instrumentation for the determination of language characteristics and educational achievement in languages other than English is just currently being developed.

Status of Research in Bilingual Education

Not only is there a limited amount of educational research on bilingual education, but research findings on the accomplishments of bilingual education are almost nonexistent. The few studies that are available lack adequate depth, scope, time and methodology to provide a valid measurement of the outcomes of bilingual education. The studies currently available also swallow elephants and strain on gnats in analyzing the effectiveness of this instructional approach.

The much awaited American Institutes for Research (AIR) study recently released by the U.S. Office of Education is no more effective than prior attempts to evaluate bilingual education programs. An analysis of the AIR study conducted by the Intercultural Development Research Association (IDRA) identifies major discrepancies in the identification of the target population, the selection of comparable control groups, test instruments used in the study, the amount of time between pre- and post-testing, lack of consistency in programs being studied, adequacy of instructional staff, and the source of funds being used.

Space limits do not allow a thorough examination of all the flaws IDRA found in the study, but the following examples will suffice:

(1) Language classifications were done subjectively by teachers in spite of a body of research which points to the unreliability of teacher judgment as an indicator of the language characteristics of students.

(2) Half of the teachers classifying students in the various language categories did not speak any language other than English.

(3) District Title VII personnel were allowed to nominate groups to be used for comparisons from classrooms outside of their own. Differences between school districts – in organization, teaching methodologies, teacher training, teacher qualifications and competence – and varying financial resources were not controlled.

(4) About one-third of the *non*-Title VII teachers and aides were involved in a bilingual program. This raises the possibility that the comparison groups had "bilingual treatment," thus invalidating them as a comparison. Instead of concluding that students were not doing well in some aspects of the Title VII bilingual program, an alternative conclusion may have been reached that students do better in state or locally funded bilingual programs.

(5) Though in theory the interim between pre- and post-testing could have been seven months, only six of the thirty-seven projects involved more than six months, and eighteen of the projects (almost 50 percent) were pre-post tested within five months or less.

(6) Using a definition based on the placement of students and not on the characteristics of the program itself, the study concludes that most bilingual programs are of the maintenance type. "Maintenance" is not defined.

(7) Program characteristics varied considerably as to instructional time, content, and instructional methodologies. Impact findings did not control for such differences.

(8) IDRA's secondary analysis of the AIR data shows that only 26 percent of the teachers participating in the study reported having a bilingual teaching credential, which is the minimum criteria for adequate training determined by many states.

(9) Though the study reports that 93.8 percent of the Title VII teachers had participated in bilingual inservice training, the training could have been taken within a five-year span and could consist of as little as one day or less. IDRA's analysis of the individualized project descriptions revealed that 6.6 percent of the teachers involved in the Title VII programs received *no* training whatsoever and that 7.4 percent received one day or less. It is possible that as many as 46 percent of the teachers received less than three days of inservice training over a five-year span in the implementation of a new and drastically different instructional methodology. There is also no indication of the quality of such inservice training.

(10) Analysis of the study indicates that 49.6 percent of the teachers in the Title VII bilingual programs admit to not being proficient in the other language!*

If nothing else, the AIR study substantiates one imperative need in bilingual education, namely, the need for leadership in developing, implementing and monitoring the federal Title VII investment in bilingual education.

The number of requests for the implementation of Title VII programs far

* The Institute for Educational Leadership regrets that time and space limits did not permit AIR to respond to Dr. Cardenas' statements.

exceeds the small number that are being funded. Shouldn't approval of proposals and allocation of funds be governed by the school district's willingness to provide adequate staffing, training for staff, valid pupil assessment procedures, etc.?

It seems inconceivable that the Congress would "throw out the baby with the bathwater;" that is, diminish support for bilingual education because of inadequacies in federal supervision. Accountability should be directed toward the guilty, not toward the victim.

Issues Raised by the Epstein Study

A. Legal Status of Bilingual Education

It is difficult to concur with Mr. Epstein's statement that "there is no federal legal requirement for schools to provide bilingual or bicultural education."

Though the Supreme Court in *Lau v. Nichols* did not provide such a legal requirement, it must be remembered that the plaintiffs made no such request in the case. The San Francisco Unified School District did have a policy toward bilingual and bicultural education, including operational programs. The issue before the Supreme Court was the exclusion of massive members of children from such programs.

Other court cases have resulted in much more explicit interpretations of federal law in regard to bilingual education.

In *U.S. v. Texas* (December 6, 1971, San Felipe Del Rio intervention suit), the Federal Court for the U.S. Eastern District of Texas held that the absence of a bilingual education program was in violation of the 14th Amendment of the U.S. Constitution and Title VI of the Civil Rights Act of 1964. The court prescribed curriculum which recognized the value and cultural environment and language of the Mexican American students; language programs which developed and reinforced the student's primary and secondary language from early childhood through the 12th grade; bilingual counseling; intercultural awareness programs and ethnic studies courses; the establishment of multi-ethnic community councils to assist in the formulation and evaluation of the program; and the development of a plan to insure the hiring and retention of competent bilingual/bicultural staff. It also recommended provisions for language and cultural awareness training and the appointment of bilingual/bicultural teachers for special education classes.

In the review of *Portales v. Serna*, the Federal 10th Circuit Court of Appeals stated, "Under Title VI of the Civil Rights Act of 1964 [children of limited English-speaking ability] have a right to bilingual education." A similar finding was made in the *Overton* case when the Federal Fifth Circuit Court of Appeals in New Orleans observed that bilingual education programs had been implemented by the Austin School District as required by the law. Recently, a New York federal court handed down a similar legal interpretation in *Rios v. Read*.

The federal courts' interpretation of the Civil Rights Act of 1964 is that this law is a specific legal mandate for bilingual education programs.

B. Hispanic Separatist Movement

Mr. Epstein's study expresses a strong fixation that bilingual education programs comprise a separatist movement by the language minorities. Neither the rationale of bilingual education nor the programs being implemented reflect a separatist movement in this activity.

The study depicts bilingual education and bicultural programs as ends in themselves which are sought by minority populations to establish and maintain a cultural identity different from the American mainstream. This has never been an objective in bilingual/bicultural education. It is not occurring in school programs and is not likely to occur.

The education of children does not take place in a cultural vacuum. Each subject matter area introduced in the schools is saturated with culture both in the content of the materials and in the methodology utilized. The cry for cultural pluralism in education is for materials and methodologies to be representative of the various cultures found in our American society rather than unfairly representing solely the cultural characteristics of Northern Europeans.

American Indians are sick of hearing that America was "discovered in 1492," with the assumption that other populations did not exist before that or that they were not worthy of mention. American blacks resent their status in the history books as carefree darkies for over 100 years, the cause of the American Civil War, and a problem ever since. Mexican Americans take little pride in being the villains of the Alamo who murdered John Wayne, disappeared for 100 years, and have recently surfaced as the culturally disadvantaged.

American minorities request that their ethnicity be represented in art, music, sociology, anthropology, science, reading, arithmetic and all other aspects of the instructional program.

The author questions whether the cultural enrichment of language minorities is related to student achievement. I am of the opinion that the learner's perception of self may be the strongest determinant of success or failure in educational activities.

Mr. Epstein has completely missed the boat by his failure to understand that one main purpose of multicultural education is to promote an understanding that my ethnic culture is a part of this American culture.

The author also expresses strong concern about segregation. If ethnic minorities have been less than enthusiastic over desegregation efforts, the reason is that past desegregation efforts have led to the following:

(1) The burden of desegregation has fallen upon the minority populations.

As a result of desegregation efforts, minority schools have closed or enrollments have been reduced, with the minority population being transported to white majority schools.

(2) The reassignment of minority pupils to other schools inevitably will lead to the minority pupil becoming a minority in each of the desegregated schools. Community personnel enjoyed wide powers in the decisionmaking, staffing and operation of segregated, predominantly minority schools. Such prerogatives vanish when the minority population is dispersed and becomes 15 percent of every school in the system.

(3) Pupil assignment plans which have dispersed minority populations have failed consistently to provide adequate transportation for participants in extracurricular activities and for parental involvement activities, and in responding to emergency situations.

(4) Desegregation efforts consistently have jeopardized special programs for minority populations.

School districts threatened with desegregation have presented a choice between participation in bilingual and multicultural education and/or the desegregation of schools. As in the Denver case, the school district displayed an unwillingness to trouble itself with administrative reorganization and maintained that continued segregation was essential to bilingual program implementation.

School authorities also consistently warn minority parents that desegregating pupil assignment plans may result in their children no longer being eligible for participation in Title I programs for disadvantaged students. This constitutes a half-truth; although concentrations used for determining school plant participation may change, the number of participating students should remain the same.

C. Language Immersion Programs

Mr. Epstein's study makes several interesting and promising recommendations for future programs. One such recommendation, however, is dysfunctional. It is the recommendation that language immersion programs be tested as an alternative. In the eyes of the language minorities, such an approach would lead to regression in the education of their children.

The author fails to understand that his concept of language immersion is not an innovative practice, but rather a return to the traditional practices in the schools which accounted for a massive failure of the minority population.

Though few studies document the success of bilingual education, there is an abundance of studies which adequately evaluate the effect of past immersion programs. In such programs, anywhere from 50 percent to 100 percent of the language minorities dropped out of school prior to the completion of the 12th grade, achievement was consistently one year below national norms at the 3rd grade, one

and one-half years below national norms at the 6th grade, and two years behind at the 7th grade. In Texas, the result of immersion programs produced such a high level of retentions that 86 percent of all Mexican American children in that state had repeated at least one grade prior to the completion of the third grade.

Perhaps Hispanic minorities are so overwhelmingly in favor of bilingual education regardless of lack of evidence of its success because the experiences with past programs have been so negative that any alternative is a step in the right direction. If, as documented by the Texas Education Agency, the dropout rate of Mexican American children in a South Texas school system is 90 percent, the parents cannot be blamed for strongly recommending an untested alternative.

Another consideration for the rejection of immersion programs as an alternative to the education of children of limited English-speaking ability is that, in my opinion, and not contradicted by research findings, such immersion programs, although adequate for adults and for higher grade levels, produce too much of a psychological trauma in young children. Placement in a language immersion program today would constitute for me a fun activity, through I can still remember the horror of this experience when I was six years old.

D. Specific Exceptions

It is almost impossible to critique the many erroneous or opinionated statements found in Mr. Epstein's study. Efforts to group them invariably lead to an excess of classifications, making the critique extremely long, repetitious and shallow.

However, to illustrate the unfairness of Hispanic treatment in this study, I will meticulously critique three consecutive pages of the study's summary, hoping that the identification of specific discrepancies will develop reader sensitivity to other discrepancies in the study.

(1) The Congress has not, as Mr. Epstein states, expanded significantly its commitment to bilingual education. Figures presented in the study indicate 425 projects in 50 states in 68 languages and dialects. Spanish projects account for about 340 projects in 50 states. These 340 projects are not only dispersed nationally, but represent a variety of Hispanic groups, including Mexican American, Puerto Rican, Cuban and others. The remaining 85 projects represent 67 language groups, indicating not much more than one project in the nation for each of these language groups.

The number of pupils participating in these projects cannot be more than 1 or 2 percent of the total eligible population. Regardless of the quality of the "piloting" taking place in the various projects (a federal government responsibility in terms of goals, approaches, training, and development), the number and percentages of participants does not remotely denote an "educational service program."

Program activity in bicultural education does not constitute teaching students about their own ethnic groups, but rather the use of information about their own ethnic groups as background for skill development and further content acquisition. Teaching minority children to add, subtract, multiply, or divide "creampuffs" is an unnecessary complication of mathematical processes if the pupil does not have an understanding of what a creampuff is. This bakery item is so remote from non-affluent Hispanic minorities that there is no such lexical equivalent in the Spanish language. As stated previously, American English language textbooks are full of such inconsistencies which make education unnecessarily difficult for the minority child.

(2) The study claims that there is no federal legal requirement for schools to provide bilingual or bicultural education, and that OCR policy therefore is difficult to explain.

This assumption has been refuted in a previous section, but further elaboration is needed to clarify the OCR position. In *Lau v. Nichols*, meeting the needs of children of limited English-speaking ability was not solely dependent on the Civil Rights Act of 1964, but the Supreme Court acted on OCR regulations which had been issued under that act.

In a memorandum to all school districts on May 25, 1970, the director of the Office for Civil Rights, J. Stanley Pottinger, stated, "Where inability to speak and understand the English language excludes national origin-minority group children from effective participation in the educational program offered by a school district, the district must take affirmative steps to rectify the language deficiency in order to open its instructional program to these students."

The memorandum thus reflects a finding by HEW, the federal agency with special competence in the area of education, that, where a school system employs English as the basic language of instruction but provides no special assistance to non-English-speaking students who comprise a significant portion of the system's enrollment, those students are impermissibly excluded from participation in, denied the benefits of, and subjected to discrimination under the system's educational program on account of their national origin.

In *Lau v. Nichols*, the Supreme Court recognized the authority of the May 25 Memorandum and set a legal precedent for subsequent OCR regulations such as the "Lau Remedies" issued to the 334 school districts in question.

(3) The national government has spent more than half a billion dollars without demonstrating the effectiveness of bilingual/bicultural education, not because of the enormity or impossibility of proving such effectiveness, but because of the lack of effectiveness and efficiency by the federal government. In general, funds for bilingual education have been dispersed throughout the country without regard to staff adequacy, availability of materials, evaluation designs and accountability

procedures. Even special research studies such as the aforementioned AIR/Office of Education study were unbelievably bad.

Unfortunately, the response to such incompetence is to penalize the victim through a proposed discontinuity of service, rather than to hold the dispenser of funds accountable.

On the other hand, traditional educational programs for minority children expend billions of dollars a year with a most remarkable consistency of failure and are replicated year after year at federal, state and local expense with not only no evidence of success, but rather with substantial and conclusive proof of failure.

(4) The question of whether federal funds are aimed at or reaching the target students should not be directed toward either Congressional or OCR policies, but should be directed toward the U.S. Office of Education and specifically toward the Office of Bilingual Education.

Advocates of bilingual education are cognizant that Title VII funds involve less than 2 percent of the eligible population and are extremely concerned with either a lack of priorities which may deny a bilingual program to the children who need it the most, or gross inefficiencies in selection criteria which produce the same effect. Yet, there is little assurance that pupil selection is all that bad. Though the USOE-sponsored study judged 70 percent of pupils in a sample to be dominant in English, not Spanish, for test-taking purposes, keep in mind that: (1) pupil selection criteria can and should be controlled by the granting source; (2) half of the teachers who made the judgments were not proficient in any language other than English and therefore had no way of measuring bilinguality; and (3) it is my contention, reinforced by the evidence of lack of teacher bilinguality in bilingual programs, that most bilingual education activities are still being conducted in the English language, and therefore it is not surprising that 70 percent of the pupils having been taught in English demonstrated an English preference for test-taking purposes.

(5) Most of the controversy created by this study stems from statements in the third page of Mr. Epstein's summary. Previous sections of this critique have attempted to show that instructional materials and methodologies are biased toward certain language and ethnic groups. Though most bilingual education advocates give highest priority to children of limited English-speaking ability, they share an ideal in which American schools will value other languages to the point of teaching them in our schools and maintaining and developing them in the case of language minorities.

In many years of involvement in minority education, I have never heard the term or encountered the concept of "cultural maintenance programs." I have heard of intercultural, multicultural and bicultural programs in which the purpose of the programs is either intercultural understanding or the ability to function in more than one cultural milieu.

The federal government does not finance or promote pupil attachments to our ethnicity – these attachments we formed at our mothers' breasts. The federal government finances and promotes understanding, respect and acceptance of other cultures; that is, other heritages, other traditions, values and orientation, and other lifestyles. As an American I value freedom, freedom of choice, and feasible alternatives from which to choose. I wish for the school to help me hold these options open for my children so that they continue to be options until they are old enough to choose.

I would, for example, detest an American textbook which stated that "Parents, when they get old, are a pain in the rear, and should be placed in an institution." My ethnic heritage rebels at such a concept, since parents are valued and respected for their wisdom, experience and affection, and play a continuing role in family activity and decisionmaking even at an advanced age. Such is the type of role my mother plays and I would wish to play in my old age. I would, therefore, resent the school eliminating such an option or denoting that people who like to have old parents around are weird.

In coping with such a conflict, the school should state that some people find it more convenient to place parents in an institution, others prefer to keep them at home, (others allow them to go into the snow and die), or perhaps the school should state nothing at all!

Perhaps I belabor the point. I am not attempting to stereotype a specific ethnic group, and if the previous example seems exaggerated it is because I have already tried to explain this to the study author 20 times, and he still perceives bicultural education as "affirmative ethnicty," with all forms of innuendos about separatism, un-Americanism and minority power.

(6) Most bilingual education programs, both transitional and maintenance, are highly segregated because they are implemented in school districts that are highly segregated. J.P. Guilford, in his introduction to statistics textbooks, states that the most common correlation error made by neophyte statisticians is to observe a relationship between two variables and project a causal relationship. This study depicts this error admirably.

Since 1945, Hispanics have been challenging *de jure* segregation in American schools, and a short listing of desegregation cases such as *Delgado, Hernandez, Alvardo, Cisneros,* and *Morales* indicates the willingness of Hispanics to oppose segregation and act as plaintiffs in desegregation cases.

In spite of these efforts, Hispanics are still the recipients of segregation, *de facto* in most cases and *de jure* in some. It is not surprising that bilingual education programs are highly segregated when in fact non-bilingual education programs are similarly highly segregated.

(7) It is impossible to follow the study's logic that concludes that, if maintenance programs were to succeed, they would be just as likely to lead to an attrition in the use of native languages as to nourish them. If concentrated efforts by the schools to stamp out the use of languages other than English through negative valuing and even extensive punitive measures have been notoriously unsuccessful, I find it difficult to understand how the acceptance of the language by the school and its maintenance and development would accelerate the attrition.

Personally, I have not only retained Spanish language competence in a 96 percent English-speaking society, but my competence, vocabulary, and utilization have increased over the years. Bilingualism in radio and television also has increased in recent years. Newspaper bilingualsim, which had been declining, has now experienced a reversal and is in a period of increase. Several new Spanish language national magazines have come into being in the last few years.

Ironically, the reason for this increase is not the result of school efforts or bilingual programs. The reason is that as advertisers, business and industry have realized that if they want to carry the message to the consumer, it is highly desirable to express the message in the language utilized by the consumer, a truism which the schools have never understood or accepted.

(8) The ethnic political wave that has been sweeping the globe has done very little to increase the economic and political power and prestige of the language minorities. Simple mathematical calculations will determine that Hispanic Americans are underrepresented in medium- and high-level positions in each and every hierarchy in this country, including federal, state and local political structures and social and economic institutions. The Hispanic Americans feel that equality of educational opportunity is the key to an increase in upward mobility which will allow them to attain a socio-economic position comparable to that of the white Anglo.

The protection of civil rights and federal intervention to enhance equality of educational opportunity are desirable goals and not the controversial question posed by the study. "The most socially sensitive aspects of the local school curriculum" deserve federal inquiry and intervention if these local prerogatives lead to a denial of equal protection or equal educational opportunity.

Bilingual education programs are not alone in setting segments of the American population against each other; so do desegregation, evaluation, progressive education, busing, ROTC, and football. Allow the Greek Americans in Chicago to settle their differences just as Hispanic Americans settle their differences, and thank the Lord that we enjoy the freedom to differ and to elect from varying options.

Summary Statement

The past eight criticisms denote exceptions taken to each of nine consecutive paragraphs in the first section of the study. Further analysis would result in a critique several times the size of the study and may serve no useful purpose. It is evident that the study identifies problems in the development and implementation of bilingual education programs, but these problems are for the most part administrative and do not indicate an erosion of American principles. On the contrary, bilingual and bicultural education are not only pedagogically sound concepts, but are a positive step in bringing about equality of opportunity and the realization of the American dream for populations being excluded from the political, social, economic and educational mainstream.

Gary Orfield

Response II

During the past generation a discouraging cycle has developed in educational policymaking. It usually has begun when Congress, administrators, or the courts have adopted a new policy which they assume will have a powerful impact in repairing severe inequalities in the schools. The new policy generates a cadre of professionals concerned with implementing it and inclined to believe that any problems can be cured by more funds and better training. This process tends toward early reporting of favorable experiences and escalating expectations. Eventually, the evaluation researchers get into the process with their complex instruments and abstruse statistical presentations which purport to measure the real impact of the program. Almost inevitably this research shows that the expectations have not been realized, stimulating critics to attack the program. Too often the change is from uncritical support to unthinking attacks.

After nine years of relative obscurity and steady growth in federal and state funding, bilingual education is now coming under critical scrutiny, particularly with the publication of the first national evaluation study, the American Institutes for Research interim report, *Evaluation of the Impact of ESEA Title VII Spanish/English Bilingual Education Program.* According to this study, federally funded

projects often provide expensive, highly segregated programs which leave children less skilled in English reading and vocabulary, without even giving them a more positive feeling about school.

The great value of Noel Epstein's study is that it provides precisely what is needed at this stage of the program's evolution. Rather than an unthinking attack, the paper attempts to carefully sort out the contradictory assumptions about the program and surface the hard policy issues and research questions that must now be faced. It offers a combination of scholarly thoroughness and clear exposition that one rarely encounters in discussions of educational policy. It calls not for an abandonment of the program but for clarifying its basic purposes and systematically experimenting with methods to best achieve them. It is a major contribution.

Bilingual-bicultural education is like an impressionist painting – very attractive from a distance but unclear and confusing when one gets very close to it. Congress and the Supreme Court have recognized that something must be done to help millions of children from non-English-speaking homes who have been experiencing great difficulties in school. The idea that the children's basic problem was linguistic and that it could be cured by beginning instruction in a child's own language in an environment that respects his culture has great intrinsic appeal. Unfortunately, however, it has little empirical support.

As policymakers gradually have become aware of the rapidly expanding Hispanic impact on American society, a stereotyped view of typical Hispanic education problems has achieved wide currency. At a time when one-twelfth of the children being born in the U.S. are Hispanic, we frequently are told that these children have severe difficulties with English and have a negative self-concept and a poor attitude toward school because the school forces them to try to function in a foreign language and shows no regard for their culture.

The stereotype is terribly wrong, and it has tended to divert attention from many important issues. The large majority of Hispanic children can speak English well enough to function in a normal classroom and do not have a negative self-concept. The AIR evaluation study suggests that those in bilingual-bicultural programs have almost exactly the same attitude toward school that is found among Hispanics in normal English-language classes. Hispanic children come from communities that represent not one cultural tradition or one status level but from a dazzling variety of backgrounds. It is a colossal over-simplification to equate the needs of children from the extraordinarily successful Cuban population of Miami, where family income already has exceeded that of native whites, with the needs of isolated and poor rural communities along the border with Mexico. We need to carefully sort out the needs of different groups of Hispanic children and the varying desires of their parents and try to identify and test appropriate educational strategies for each.

Bilingualism and Segregation. My most basic concern with the way the bilingual program has developed arises from the intensely segregated character of the programs. Without any serious national debate, it seems that we have moved from a harsh assimilationist policy to a policy of linguistic and cultural separation. At a time when our governmental system is confronting grave difficulties in dealing with social cleavages already present in the society, it is hard to justify federal and state subsidies which heighten linguistic divisions. I believe that there is a better middle position, one which would encourage integration of Hispanic children into schools which respect their cultural tradition and encourage children of diverse backgrounds to voluntarily study Spanish language and literature in classes that actually have bilingual student bodies.

Existing bilingual programs do not operate in a truly bilingual setting. The typical program enrolls only about one-tenth Anglos and small numbers of blacks. Hispanic children, on the other hand, tend to be channeled into the programs even if they could function in English-language classes and kept in them when they could be in the normal curriculum. About two-thirds of the children in the programs are not assigned because of limited English-speaking ability, and only one program in twenty transfers a child to an all-English program when he or she could handle it.

Hispanics are highly segregated in school, and the Supreme Court held in 1973 that school systems must correct *de jure* segregation of such students. HEW statistics show that by 1974 Hispanic children were more likely to attend predominantly minority schools than blacks. While segregation of blacks has declined significantly during the 1970's, segregation of Hispanics has been increasing. Segregation is most severe in the Northeast, the region where a recent report of the National Assessment of Educational Progress shows the most serious educational achievement problems. In some cases local school officials have attempted to avoid desegregation by agreeing to the establishment of bilingual-bicultural programs run by minority administrators. In other cases, bilingual program administrators have attacked desegregation plans as disruptive to their efforts. Some, in other words, would encourage a new form of a dual school system in order to protect and expand their programs. Others favor a new kind of ethnic tracking, in which Hispanic children would be channeled into maintenance programs that extend throughout their school careers.

Not only is it impossible at this point to demonstrate educational advantages to such approaches, but it is also very difficult to justify them in terms of the theory of bilingualism. Most existing "bilingual-bicultural" classrooms have a monocultural student body composed of children from a Hispanic background. Many have a teacher who is a native Spanish speaker. The children in such classes are being introduced to English in an isolated setting, without the reinforcement of

continual conversations with other children from an all-English background in an Anglo culture. The problems of such an approach should be self-evident to anyone who remembers studying French or German in an environment where there was no chance to use the language outside of class.

Moving to integrated classes would not only have advantages for minority children but would also offer majority children an invaluable opportunity to learn a new language in a setting that would offer the kind of reinforcement rare in American education. It would also help stem the serious decline in foreign language study among white students. Hispanic and Anglo children initially trained in such a setting might well provide a constituency for selective secondary level courses in Spanish literature.

If biculturalism is to succeed it cannot be confined to separate programs, but a greater appreciation for the history and culture of various Hispanic peoples must be built into the curriculum that reaches all children. If respect and full opportunities are to be won for Hispanic children it is important that the dominant groups in American society be given better training in an integrated social studies curriculum. This objective needs a much higher priority.

Reading the existing research on bilingualism makes one point very clear – we do not know enough to make any confident global prescriptions. We are only at the point of trying to define the right questions, and Noel Epstein has provided much help in this effort. Probably we eventually will discover that there is no single best answer and that bilingualism works well only for certain purposes in certain settings. In the meantime, the issue should be treated with caution; there should be careful respect of the values and goals of individual children and parents, and a much more serious public discussion about how we can best help Hispanics and other linguistic minorities find success in a more pluralistic society.

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